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ABSTRACT

During the 1970s, Texas' longstanding political, legal, and cultural framework continued the systematic exclusion or discouragement of minority groups from political participation and representation. The Texas Advisory Committee to the U.S. Commission on Civil Rights studied the representation of the state's 12.5% black, 18% Spanish surnamed, and 51% female citizens in every elective office at the state, city, and county level from 1968 to 1978. The Commission found uniformly low minority representation in the major state and local governmental institutions. Overall, black and Mexican American representation changed little during the period, except in those cases in which federal legislation, such as the 1975 Voting Rights Act, or federal courts had intervened. The Commission also confirmed its assumption of the dominance of Anglo males in Texas' political structure, and the accompanying near-total exclusion of black and Mexican American women. Except for city council offices, Anglo males held 90% of all elective positions. A regional analysis of Commission findings further confirmed this conclusion and revealed gross disparities between minority population and representation. As regards minority representation, Texas did not compare particularly well with other southern and southwestern states. Five case studies illustrate various aspects of the report. (SB)

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"In the problem of racial discrimination, statistics often tell much, and courts listen."

Chief Judge John Brown, U.S. Court of Appeals for the Fifth Circuit in *Alabama v. United States*, 304 F. 2d 583, 586 (5th Cir. 1962)

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Charles L. Cotrell
May, 1979
San Antonio, Texas

A REPORT ON THE PARTICIPATION OF MEXICAN AMERICANS, BLACKS AND FEMALES IN THE MAJOR POLITICAL INSTITUTIONS AND PROCESSES OF TEXAS, 1968-78

Attribution:

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TABLE OF CONTENTS

Page

Chapter 1 Regionalism and Political Culture in Texas.................................... 1

Chapter 2 Minority and Female Representation in the Texas Executive Branch 15

Chapter 3 Representation of Minorities and Females on Texas Boards and Commissions......... 18

Chapter 4 Minority and Female Representation in the Congress and Texas Legislature...... 41

Chapter 5 Minority and Female Representation in County and District Offices............. 54

Chapter 6 Analysis of Representation in General Law and Home Rule Cities in Texas....... 85

Chapter 7 Minority and Female Representation on Local School Boards..................... 107

Chapter 8 Minority and Female Representation on Junior College District Boards.......... 112

Chapter 9 Minority and Female Representation on Texas Democratic and Republican Political Party Organizations, 1968-78 ... 117

Chapter 10 The Impact of the 1975 Voting Rights Act on Minorities In the Texas Electoral System 142

Chapter 11 The Case of San Antonio, Texas: The Voting Rights Act, Annexations and Minority Voting Strength and Representation......................... 180

Chapter 12 The Case of Ft. Worth: The Domino Effect?................................ 192

Chapter 13 Waco, Texas: A Case of Changing the Rules of the Electoral Game............. 206

Page

Chapter 14 Crockett County: Redistricting in West Texas.................................. 222

Chapter 15 Waller County: Student Voting and Redistricting............................. 239

Chapter 16 Conclusions.................................. 255

Appendices A - E

LIST OF TABLES

TABLE PAGE

3-1 A Partial Listing of Major Full-Time Elective and Appointive Administrative Officials and Boards and Commissions in Texas 19

3-2 Classes of Texas Boards and Commissions 21

3-3 Minority and Female Representation on Sixty-six Select Boards and Commissions in Texas, 1968-78 25

4-1 Minority and Female Representation in the U. S. House of Representatives, 1968-78 42

4-2 Percentage and Number of Black and Spanish Surname Population in Southern and Southwestern States, 1970 43

4-3 Minority and Female Representation in The Texas State Senate, 1968-78 44

4-4 Minority and Female Representation in the Texas House of Representatives, 1968-78 47

4-5 Minority and Female Representation Elected to The Texas House of Representatives, November, 1978 48

5-1 Minority and Female Representation in the Office of County Judge, November, 1978 Election Results 78

5-2 Minority and Female Representation in the Office of County Commissioner, November, 1978 Election Results 79

5-3 Minority and Female Representation in the Office of County Attorney, Election Results, 1978 80

5-4 Minority and Female Representation in the Office of State District Judge, Election Results, 1978 82

6-1 Electoral Structure: Texas' Home Rule Cities 93

6-2 Charter and Electoral Structure of Texas' Home Rule Cities 95

9-1 A Sample of Black Delegate Strength To Democratic State Conventions, 1968-78 126

10-1 Number of Changes Submitted Under Section 5 and Reviewed by the Department of Justice, By State and Year, 1965-June, 30, 1978 154

LIST OF TABLES (CONT'D.)

TABLE PAGE

10-2 Number of Changes Submitted Under Section 5 and Reviewed By the Department of Justice By Type and Year, 1965-June 30, 1978 156

10-3 Section 5 Objections To Texas Submissions--October, 1975-June, 1978 157

10-4 Number of Submissions Objections by State 162

13-1 Racial/Ethnic Percentages Among Five Districts of the 5-2 Plan 213

LIST OF FIGURES

FIGURE PAGE

5-1 Minority and Female Representation for County Judge, 1968-78 57

5-2 Minority and Female Representation for County Commissioners, 1968-78 60

5-3 Minority and Female Representation for County Attorney, 1968-78 62

5-4 Minority and Female Representation for District Attorney, 1968-78 64

5-5 Minority and Female Representation for County Clerk, 1968-78 67

5-6 Minority and Female Representation for District Clerk, 1968-78 69

5-7 Minority and Female Representation for County Tax Assessor Collector, 1968-78 71

5-8 Minority and Female Representation for County Treasurer, 1968-78 73

5-9 Minority and Female Representation for County Sheriff, 1968-78 74

5-10 Minority and Female Representation for District Judge, 1968-78 77

6-1 Minority and Female Representation for the Office of City Mayor, 1968-78 87

LIST OF FIGURES

FIGURE PAGE

6-2 Minority and Female Representation for City Council, 1968-78 89

6-3 Minority and Female Representation for City Administrator, 1968-78 91

7-1 Minority and Female Representation on Local School Boards, 1968-78 108

8-1 Minority and Female Representation on Select Junior College District Boards, 1968-78 114

9-1 Minority and Female Representation for Delegates to the National Democratic Conventions, 1968, 1972 and 1978 121

9-2 Minority and Female Representation for Delegates to the State Democratic Conventions, 1968-78 124

9-3 Minority and Female Representation for Delegates to the National Republican Conventions, 1968, 1972 and 1978 130

9-4 Minority and Female Representation for Delegates to the State Republican Conventions, 1968-78 132

9-5 Minority and Female Representation on The Democratic State Executive Committees, 1968-78 135

9-6 Minority and Female Representation on the Republican State Executive Committees, 1968-78 136

10-1 Geographic Coverage of Section 5 of VRA 151

16-1 Change in Minority and Female Representation in the Texas House of Representatives, 1968-78 256

16-2 Change in Minority and Female Representation for District Judge, 1968-78 258

16-3 Minority and Female Representation for County Judge, 1968-78 259

16-4 Minority and Female Representation for County Commissioner, 1968-78 260

16-5 Change in Minority and Female Representation for City Mayor, 1968-78 261

16-6 Change in Minority and Female Representation for City Council, 1968-78 262

LIST OF MAPS

		PAGE
Map 1-1	Regions Within Texas	5
Map 1-2	Black Population Concentrations in Texas	9
Map 1-3	Mexican American Population Concentrations In Texas	11
Map 10-1	Geographic Distributions of Section 5 Objections in Texas 1975-June, 1978	164

APPENDIX A

A1-1 Minority Representation in the Office of Texas Air Control Board

A1-2 Minority Representation in the Office of Texas Alcoholic Beverage Commission, 1968-78

A1-3 Minority Representation in the Office of the Board to Calculate the Ad Valorem Tax Rate (Automatic Tax Board), 1968-78

A1-4 Minority Representation in the Office of State Banking Board, 1968-78

A1-5 Minority Representation in the Office of Board of Regents of East Texas State University, 1968-78

A1-6 Minority Representation in the Office of Board of Regents of North Texas State University, 1968-78

A1-7 Minority Representation in the Office of Board of Regents of Texas Tech University, 1968-78

A1-8 Minority Representation in the Office of Board of Regents of Tyler State College (now Texas Eastern University), 1968-78

A1-9 Minority Representation in the Office of State Building Commission, 1968-78

A1-10 Minority Representation in the Office of Texas Commission on Highways and Public Transportation, 1968-78

A1-11 Minority Representation in the Office of Industrial Accident Board, 1968-78

A1-12 Minority Representation in the Office of State Board of Insurance, 1968-78

A1-13 Minority Representation in the Office of Interstate Compact Commissioner (Red River), 1968-78

A1-14 Minority Representation in the Office of State Judicial Qualifications Commission (Changed to State Commission on Judicial Conduct in 1977), 1968-78

A1-15 Minority Representation in the Office of Commission on Law Enforcement Officer Standards and Education, 1968-78

A1-16 Minority Representation in the Office of the Texas Motor Vehicle Commission, 1968-78

APPENDIX A (CONT.)

A1-17 Minority Representation in the Office of Parks and Wildlife Commission, 1968-78

A1-18 Minority Representation in the Office of Pecos River Compact Commissioner for Texas, 1968-78

A1-19 Minority Representation in the Office of Railroad Commission of Texas, 1968-78

A1-20 Minority Representation in the Office of Texas Real Estate Commission, 1968-78

A1-21 Minority Representation in the Office of Rio Grande Compact Commissioner for Texas, 1968-78

A1-22 Minority Representation in the Office of Sabine River Compact Commissioner for Texas, 1968-78

A1-23 Minority Representation in the Office of Public Utilities Commission of Texas, 1968-78

A1-24 Minority Representation in the Office of Texas Water Development Board, 1968-78

A1-25 Minority Representation in the Office of Texas Water Quality Board (abolished in 1977 reorganization), 1968-78

A1-26 Minority Representation in the Office of Texas Water Commission (Formerly Water Rights Commission), 1968-78

A2-1 Minority Representation in the Office of Board of Regents of Lamar University, 1968-78

A2-2 Minority Representation in the Office of Board of Regents of the Texas State Technical Institute, 1968-78

A2-3 Minority Representation in the Office of Commission on Fire Protection Personnel Standards and Education, 1968-78

A2-4 Minority Representation in the Office of Human Resources, Department of (Formerly State Board of Public Welfare), 1968-78

A2-5 Minority Representation in the Office of Finance Commission of Texas, 1968-78

A2-6 Minority Representation in the Office of Texas State Board of Dental Examiners, 1968-78

APPENDIX A (CONT.)

A2-7 Minority Representation in the Office of Texas Industrial Commission, 1968-78

A2-8 Minority Representation in the Office of Texas State Board of Morticians, 1968-78

A2-9 Minority Representation in the Office of State Board of Pharmacy, 1968-78

A2-10 Minority Representation in the Office of State Tax Board (Intangible Tax Board), 1968-78

A2-11 Minority Representation in the Office of Texas Veteran's Affairs Commission, 1968-78

A3-1 Minority Representation in the Office of Commission on Alcoholism, 1968-78

A3-2 Minority Representation in the Office of Board of Regents of Midwestern University, 1968-78

A3-3 Minority Representation in the Office of Board of Regents of West Texas State University, 1968-78

A3-4 Minority Representation in the Office of Credit Union Commission, 1968-78

A3-5 Minority Representation in the Office of Firemen's Pension Commissioner, 1968-78

A3-6 Minority Representation in the Office of Historic Commission and State Library, Texas, 1968-78

A3-7 Minority Representation in the Office of Texas Private Employment Agency Regulatory Board, 1968-78

A3-8 Minority Representation in the Office of the Board of Trustees of Teacher's Retirement System, 1968-78

A3-9 Minority Representation in the Office of Texas Commission for Rehabilitation, 1968-78

A4-1 Minority Representation in the Office of Board of Directors of the Texas A&I University, 1968-78

A4-2 Minority Representation in the Office of Board of Directors of the Texas A&M University System, 1968-78

A4-3 Minority Representation in the Office of Board of Regents of Pan American University, 1968-78

A4-4 Minority Representation in the Office of Board of Regents of Stephen F. Austin State University, 1968-78

APPENDIX A (CONT.)

A4-5 Minority Representation in the Office of Texas State University System Board of Regents (Formerly Board of Regents, State Senior Colleges), 1968-78

A4-6 Minority Representation in the Office of Board of Regents of Texas Southern University, 1968-78

A4-7 Minority Representation in the Office of Board of Regents of the Texas Women's University, 1968-78

A4-8 Minority Representation in the Office of Board of Regents of the University of Houston, 1968-78

A4-9 Minority Representation in the Office of Board of Regents of the University of Texas System, 1968-78

A4-10 Minority Representation in the Office of Coordinating Board, Texas College and University System, 1968-78

A4-11 Minority Representation in the Office of Texas Education Agency State Board of Education, 1968-78

A4-12 Minority Representation in the Office of the Texas Employment Commission, 1968-78

A4-13 Minority Representation in the Office of Texas Board of Health Resources (Formerly State Board of Health), 1968-78

A4-14 Minority Representation in the Office of Advisory Commission on Intergovernmental Relations, 1968-78

A4-15 Minority Representation in the Office of Board of Law Examiners, 1968-78

A4-16 Minority Representation in the Office of Board of Mental Health and Mental Retardation, 1968-78

A4-17 Minority Representation in the Office of Texas State Board of Nurse Examiners, 1968-78

A4-18 Minority Representation in the Office of Board of Pardons & Paroles, 1968-78

A4-19 Minority Representation in the Office of Teacher's Professional Practices Commission, 1968-78

A4-20 Minority Representation in the Office of State Textbook Committee, 1968-78

APPENDIX B

B5-1 Minority and Female Representation for County Judge, Central Region, 1968-78

B5-2 Minority and Female Representation for County Judge, East Region, 1968-78

B5-3 Minority and Female Representation for County Judge, North Region, 1968-78

B5-4 Minority and Female Representation for County Judge, Panhandle Region, 1968-78

B5-5 Minority and Female Representation for County Judge, South Region, 1968-78

B5-6 Minority and Female Representation for County Judge, West Region, 1968-78

B5-7 Minority and Female Representation for County Commissioners, Central Region, 1968-78

B5-8 Minority and Female Representation for County Commissioners, East Region, 1968-78

B5-9 Minority and Female Representation for County Commissioners, North Region, 1968-78

B5-10 Minority and Female Representation for County Commissioners, Panhandle Region, 1968-78

B5-11 Minority and Female Representation for County Commissioners, South Region, 1968-78

B5-12 Minority and Female Representation for County Commissioners, West Region, 1968-78

B5-13 Minority and Female Representation for County Attorney, Central Region, 1968-78

B5-14 Minority and Female Representation for County Attorney, East Region, 1968-78

B5-15 Minority and Female Representation for County Attorney, North Region, 1968-78

B5-16 Minority and Female Representation for County Attorney, Panhandle Region, 1968-78

B5-17 Minority and Female Representation for County Attorney, South Region, 1968-78

B5-18 Minority and Female Representation for County Attorney, West Region, 1968-78

APPENDIX B (CONT.)

B5-19 Minority and Female Representation for District Attorney, Central Region, 1968-78

B5-20 Minority and Female Representation for District Attorney, East Region, 1968-78

B5-21 Minority and Female Representation for District Attorney, North Region, 1968-78

B5-22 Minority and Female Representation for District Attorney, Panhandle Region, 1968-78

B5-23 Minority and Female Representation for District Attorney, South Region, 1968-78

B5-24 Minority and Female Representation for District Attorney, West Region, 1968-78

B5-25 Minority and Female Representation for County Clerk, Central Region, 1968-78

B5-26 Minority and Female Representation for County Clerk, East Region, 1968-78

B5-27 Minority and Female Representation for County Clerk, North Region, 1968-78

B5-28 Minority and Female Representation for County Clerk, Panhandle Region, 1968-78

B5-29 Minority and Female Representation for County Clerk, South Region, 1968-78

B5-30 Minority and Female Representation for County Clerk, West Region, 1968-78

B5-31 Minority and Female Representation for District Clerk, Central Region, 1968-78

B5-32 Minority and Female Representation for District Clerk, East Region, 1968-78

B5-33 Minority and Female Representation for District Clerk, North Region, 1968-78

B5-34 Minority and Female Representation for District Clerk, Panhandle Region, 1968-78

APPENDIX B (CONT.)

B5-35 Minority and Female Representation for District Clerk, South Region, 1968-78

B5-36 Minority and Female Representation for District Clerk, West Region, 1968-78

B5-37 Minority and Female Representation for Tax Assessor Collector, Central Region, 1968-78

B5-38 Minority and Female Representation for Tax Assessor Collector, East Region, 1968-78

B5-39 Minority and Female Representation for Tax Assessor Collector, North Region, 1968-78

B5-40 Minority and Female Representation for Tax Assessor Collector, Panhandle Region, 1968-78

B5-41 Minority and Female Representation for Tax Assessor Collector, South Region, 1968-78

B5-42 Minority and Female Representation for Tax Assessor Collector, West Region, 1968-78

B5-43 Minority and Female Representation for County Treasurer, Central Region, 1968-78

B5-44 Minority and Female Representation for County Treasurer, East Region, 1968-78

B5-45 Minority and Female Representation for County Treasurer, North Region, 1968-78

B5-46 Minority and Female Representation for County Treasurer, Panhandle Region, 1968-78

B5-47 Minority and Female Representation for County Treasurer, South Region, 1968-78

B5-48 Minority and Female Representation for County Treasurer, West Region, 1968-78

B5-49 Minority and Female Representation for County Sheriff, Central Region, 1968-78

B5-50 Minority and Female Representation for County Sheriff, East Region, 1968-78

APPENDIX B (CONT.)

B5-51 Minority and Female Representation for County Sheriff, North Region, 1968-78

B5-52 Minority and Female Representation for County Sheriff, Panhandle Region, 1968-78

B5-53 Minority and Female Representation for County Sheriff, South Region, 1968-78

B5-54 Minority and Female Representation for County Sheriff, West Region, 1968-78

B5-55 Minority and Female Representation for District Judge, Central Region, 1968-78

B5-56 Minority and Female Representation for District Judge, East Region, 1968-78

B5-57 Minority and Female Representation for District Judge, North Region, 1968-78

B5-58 Minority and Female Representation for District Judge, Panhandle Region, 1968-78

B5-59 Minority and Female Representation for District Judge, South Region, 1968-78

B5-60 Minority and Female Representation for District Judge, West Region, 1968-78

APPENDIX C

C6-1 Minority and Female Representation for the Office of City Mayor, Central Region, 1968-78

C6-2 Minority and Female Representation for the Office of City Mayor, East Region, 1968-78

C6-3 Minority and Female Representation for the Office of City Mayor, North Region, 1968-78

C6-4 Minority and Female Representation for the Office of City Mayor, Panhandle Region, 1968-78

C6-5 Minority and Female Representation for the Office of City Mayor, South Region, 1968-78

C6-6 Minority and Female Representation for the Office of City Mayor, West Region, 1968-78

APPENDIX C (CONT.)

C6-7 Minority and Female Representation for City Council, Central Region, 1968-78
C6-8 Minority and Female Representation for City Council, East Region, 1968-78
C6-9 Minority and Female Representation for City Council, North Region, 1968-78
C6-10 Minority and Female Representation for City Council, Panhandle Region, 1968-78
C6-11 Minority and Female Representation for City Council, South Region, 1968-78
C6-12 Minority and Female Representation for City Council, West Region, 1968-78
C6-13 Minority and Female Representation for City Administrator, Central Region, 1968-78
C6-14 Minority and Female Representation for City Administrator, East Region, 1968-78
C6-15 Minority and Female Representation for City Administrator, North Region, 1968-78
C6-16 Minority and Female Representation for City Administrator, Panhandle Region, 1968-78
C6-17 Minority and Female Representation for City Administrator, South Region, 1968-78
C6-18 Minority and Female Representation for City Administrator, West Region, 1968-78

APPENDIX D

D7-2 Minority and Female Representation on Local School Boards, Central Region, 1968-78
D7-3 Minority and Female Representation on Local School Boards, East Region, 1968-78
D7-4 Minority and Female Representation on Local School Boards, North Region, 1968-78
D7-5 Minority and Female Representation on Local School Boards, Panhandle Region, 1968-78

APPENDIX D (CONT.)

D7-6 Minority and Female Representation on Local School Boards, South Region, 1968-78

D7-7 Minority and Female Representation on Local School Boards, West Region, 1968-78

APPENDIX E

Summary of Results of November, 1976, Bilingual Survey

CHAPTER 1
REGIONALISM AND POLITICAL CULTURE IN TEXAS

A comprehensive study of the levels of participation and representation of Mexican American, black and female citizens in Texas is long overdue. To be sure, the participation and representation levels of Mexican Americans, blacks and women in Texas have been the focus of ad hoc surveys,[1] law suits challenging the effects of legal structures on minority access and a part of national studies. However, a systematic investigation of representational levels of racial minorities and women in Texas has never been undertaken. The worth of such a study for scholarly uses, advocacy and the informational bases of litigation is very great indeed. The particular value of such a study for the needs and aspirations of the twelve point five percent black population in Texas, the eighteen percent Spanish surname population and the fifty-one percent of Texas' population who are female goes without saying.[2] Thus, the need, value and future uses of this ten year survey of minority representation in Texas is firmly established.

A major assumption of this research undertaking is that the legal framework of any political system--historically derived and currently operable--affects the participation style and representational levels of actors within that system.[3] Almost every aspect of the Texas political system--especially the arena of electoral politics--has an extensive history of legal barriers to full and effective participation and representation by Mexican Americans and blacks.[4] Although not legally excluded during the last fifty years, women have been discouraged in political participation through tradition and societal mores.

A second assumption of this proposed survey concerns the effect of various regions within the expanses of Texas on minority participation and representation. The concept of regionalism has been studied nationally and can be associated with the concept of political culture. The particular style and orientation of political activities--including the level of participation--depicts a political culture. The Texas political system has been described by scholars as a "traditional" legal and political context.[5] Characteristically, traditional political systems limit participation to those with "elite" status and exclude or otherwise discourage participation by non-members of the "elite." In Texas, those who have been discouraged, and sometimes legally excluded, have been Mexican Americans, blacks and women. This investigation will explore a ten year period of degrees of political accessibility and exclusion in the major political institutions of Texas--1968-1978.

In a state as large as Texas, however, it is useful to consider regions within the state. Geographical concentrations of different racial and linguistic minorities within Texas deeply affect the nature of political participation; further, this distinct regional differentation within the State influences the way in which the dominant Anglo culture interacts with the various minority cultures which are the subject of this study. This insight was an important assumption in a major study of Southern politics some thirty years ago. V.O. Key, Jr., in his seminal work Southern Politics,[6] developed the notion that black-white relations in the South were influenced by the degree of concentration of people of both racial groups in a given locale. The dean of regional political studies stated his assumption thusly:

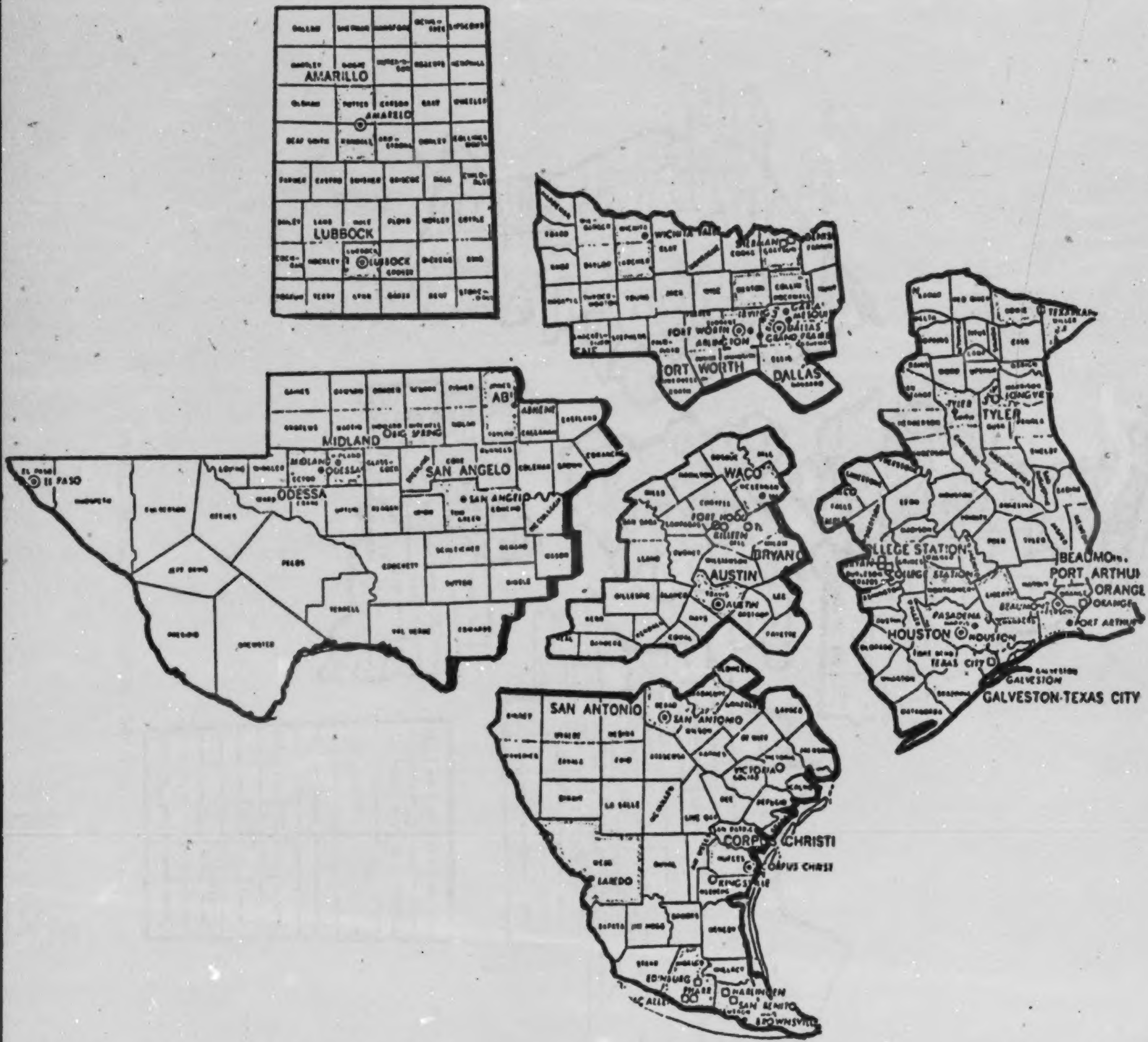
> It is the whites of the black belts who have the deepest and most immediate concern about the maintenance of white supremacy. Those whites who live in counties with populations 40, 50, 60, and even 80 percent Negro share a common attitude toward the Negro.[7]

Professor Key then goes on in his work to demonstrate the practices and devices of exclusion in southern politics generally and in "black belt" areas specifically.

This investigation follows Professor Key's assumption about racial concentration and political exclusion. When there are concentrations of Mexican Americans and blacks in Texas, we can expect to find the structures of exclusion particularly evident (see, for example, the geographical pattern of Department of Justice Voting Rights Act objections to election practices in Chapter 10 of this study). Another example is the style, orientation and reaction to minority political participation in the forty counties designated as South Texas, the linguistic and cultural "Quebec" of this State. This region is significantly different from the predominantly non-Spanish surname population of North Texas. The findings of this investigation will be presented in the context of these state regional differentations (as well as statewide summaries).

Map 1-1 illustrates the regions which were used for purposes of analysis in this study. Although proposals to "divide" Texas into varying numbers of regions are many,[8] the rationale for the regions contained in Map 1-1 is derived primarily from historical, cultural, racial, linguistic and economic considerations. Map 1-1 depicts six regions--West, the Panhandle, North, East, Central and South Texas. What are the bases for these particular configurations?

Map.1-1 REGIONS WITHIN TEXAS


AMARILLO
AMARILLO
LUBBOCK
LUBBOCK
WICHITA FALLS
SHERMAN
FORT WORTH
ARLINGTON
DALLAS
ORT WORTH
DALLAS
TEXARKANA
LONGVIEW
TYLER
TYLER
AB
ABILENE
MIDLAND
BIG SPRING
MIDLAND
ODESSA
SAN ANGELO
ODESSA
SAN ANGELO
EL PASO
WACO
KILLEEN
BRYAN
AUSTIN
AUSTIN
LLEGE STATION
COLLEGE STATION
BEAUMO
PORT ARTHU
ORANGE
BEAUMONT
ORANGE
PORT ARTHUR
PASADENA
HOUSTON
HOUSTON
TEXAS CITY
GALVESTON
GALVESTON-TEXAS CITY
SAN ANTONIO
SAN ANTONIO
VICTORIA
CORPUS CHRISTI
CORPUS CHRISTI
KINGSVILLE
LAREDO
EDINBURG
PHARR
McALLEN
HARLINGEN
SAN BENITO
BROWNSVILLE

The fifty counties of the West Texas region contain a total population of 1,071,239, 26.9% of which is Spanish surnamed, and 2.7% of which is black.[9] This wide expanse of arid land is cattle and oil country. Mexican settlers from northern Mexico and Anglos from the southern United States constitute the essential populations of the region.[10] Voting patterns of the region can be characterized as conservative and Democratic.[11] The exception to the conservative orientation in politics is the westward-oriented city of El Paso (which is nearly sixty percent Spanish surname).

The Panhandle region is composed of forty-five counties. The total population is 671, 733; thirty-one percent of this number is Spanish-surname, while 4.2% is black.[12] The Panhandle is a flat, arid farming region settled by middle western Protestants from states such as Kansas and Oklahoma. These settlers brought their wheat farming and conservative Republican political convictions with them.

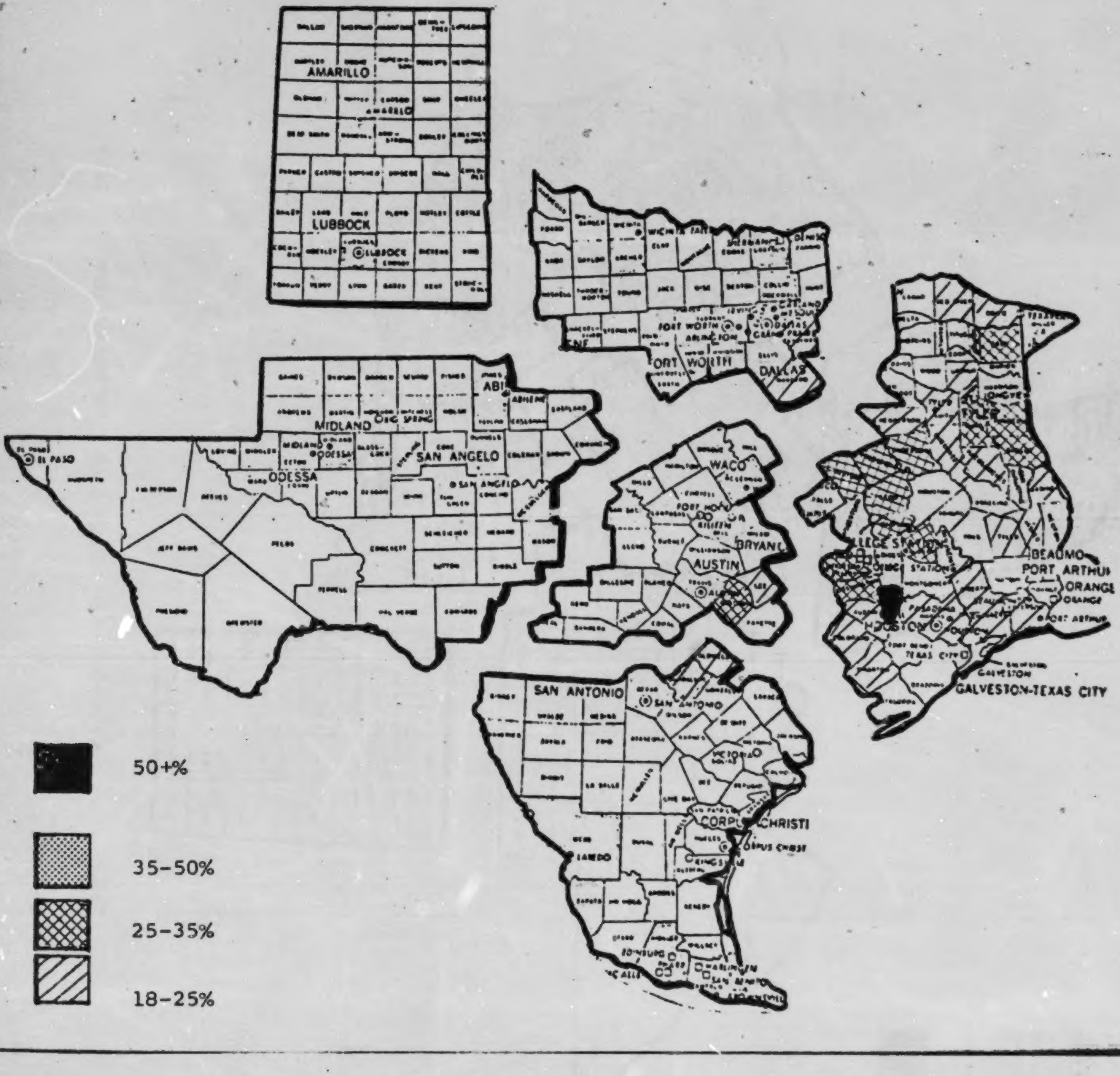
The region of North Texas--thirty four counties in size--has a total population of 2,227,549; 7.1% is black and 4.3% is Spanish-surname.[13] North Texas cities such as Dallas and Fort Worth are a confluence of the East and West Texas regions. Small black land farms dot the rural fringes of North Texas, while the Fort Worth-Dallas metroplex is characterized by banking and commercial centers and is also a center of defense related industries. The political character of North Texas is mixed, with Dallas, Denton, and Cooke counties showing strong tendencies towards a conservative and Republican orientation, while the rural northeastern portion of the region can be characterized as conservative and Democratic.

The region of East Texas, which includes the very distinctive Gulf Coast of the State, has a population of 3,681,274. East Texas is the heart of black population concentration in Texas--23.8% of this region's population is black, while 4.3% is Spanish surname.[14] Excluding the Gulf Coast area, the East Texas region is socially and politically much like the old South. Social relations between blacks and whites in this region are static and still primarily segregated. Fundamentalist religious convictions are predominant among both blacks and whites. The East Texas region is overwhelmingly Democratic in party orientation. In the rural portions of East Texas, to the north of Houston, timber, farming and some livestock raising account for the economic base of the region. The Gulf Coast--especially the Houston area--is experiencing a growth explosion. The ultra-modern megapolis of Houston and the surrounding area is the leading industrial and technological area in Texas. And, with industrialization comes unionization of the work force. Hence, cities such as Beaumont, Port Arthur and Houston are deeply influenced politically by the generally liberalizing effect of unions (this does not mean, however, that unions have always been a liberalizing influence in the politics of racial exclusion in these areas). Map 1-2 illustrates the black population concentration of this region.

The Central Texas region (twenty-five counties) is the geographical heart of Texas. The population of this region is 880,530. The Spanish surnamed population is 11.6% and the black population is 7.0%.[15] The northern portion of the region around McClennan County (Waco, Texas) shares some of the economic, racial and political characteristics of East Texas. In contrast, the southern portion of the region--the German Hill Country--is historically and politically very different from the northern part of the region. The five German-dominated counties are Republican in political affiliation; indeed, their ancestors' seceded from the Confederacy over one hundred years ago. Of course, at the center of this region is the state capitol--Austin.

The South Texas region is one of the most culturally and linguistically distinct regions in the entire state. The population size of the forty counties of South Texas is 2,024,533. Of course, the greatest concentration of Mexican Americans reside in this distinct enclave. Fifty-six point one percent of the region's population is Spanish surname, while 4.3% is

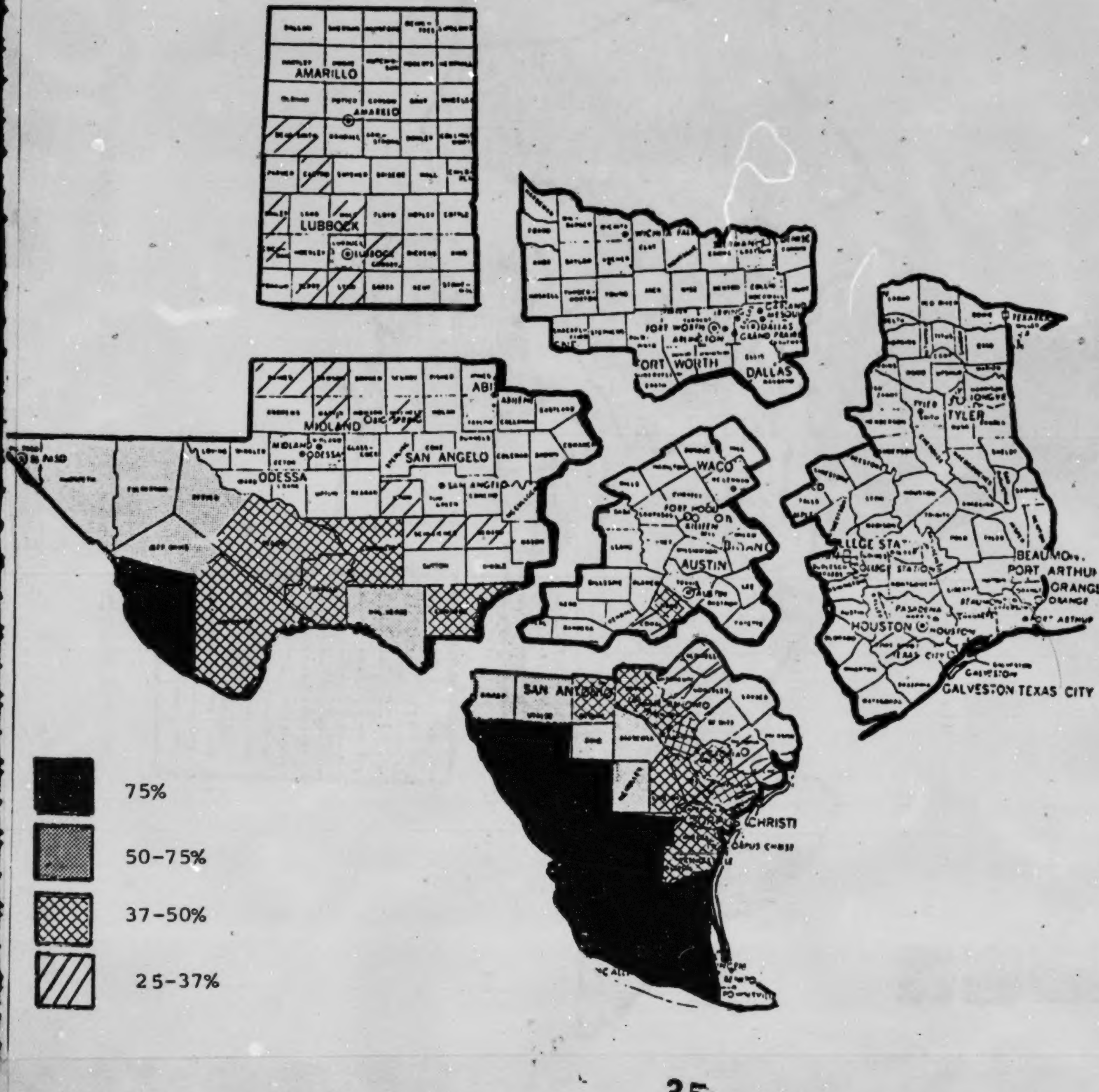
Map 1-2 BLACK POPULATION CONCENTRATION IN TEXAS


AMARILLO
LUBBOCK
FORT WORTH
DALLAS
MIDLAND
ODESSA
SAN ANGELO
WACO
BRYAN
AUSTIN
HOUSTON
BEAUMONT-PORT ARTHUR
ORANGE
GALVESTON-TEXAS CITY
SAN ANTONIO
CORPUS CHRISTI
50+%
35-50%
25-35%
18-25%

black.[16] Farming, ranching and vegetable and fruit growing characterize the economy of the region. A steady influx of immigrants from Mexico keeps alive the Spanish language and mores. South Texas is distinctively Democratic in party orientation. Relations among the Anglo and Mexican American residents of this region are at times polarized and hostile; allegations of exclusion are frequent. Map1-3 demonstrates the ethnic composition of the counties within South Texas (and the State).

In conclusion the representation of Mexican Americans, blacks, and females will be investigated for every elective statewide, county and city office in Texas during the period 1968-78. These findings will be presented in the context of regions of this state characterized above. Furthermore, the impact of the 1975 Voting Rights Act will be explored within the confines of these regions. Five case studies representing five different regions will be developed. Hence, all findings and trends will be presented statewide and regionally for the period 1968-78.

Map1-3.MEXICAN AMERICAN POPULATION CONCENTRATION IN TEXAS


AMARILLO
LUBBOCK
MIDLAND
ODESSA
SAN ANGELO
FORT WORTH
DALLAS
WACO
AUSTIN
TYLER
HOUSTON
PORT ARTHU
ORANGE
GALVESTON TEXAS CITY
SAN ANTONIO
CHRISTI
75%
50-75%
37-50%
25-37%

CHAPTER 1. FOOTNOTES

[1] For Mexican American political behavior, see Clifton McClesky, "Mexican American Political Behavior in Texas," Social Science Quarterly (March, 1974), 785-798.

[2] United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45 (Texas) Section 1.

[3] See, for example, Stanley Kelley, Jr., Richard E. Ayres, and William G. Bowen, "Registration and Voting: Putting First Things First," American Political Science Review 61(June, 1967),359-379, Luther Wayne Odom, "The Effects of Texas Laws on Voter Participation," A Report Prepared for the Texas Urban Development Commission, December, 1970 and Del Taebel and Luther W. Odom, "The Impact of the Texas Constitution on Sufferage," (Institute of Urban Studies, University of Houston, 1973). In "The Effects of Texas Laws on Voter Participation," Professor Odom describes the impact of Texas law on participation as "structured apathy."

[4] The annals of constitutional law are "rich" in cases wherein the Supreme Court of the United States declared unconstitutional provisions of the Texas election code. In Nixon v. Herndon [273 U.S. 536 (1927)], the Court held unconstitutional a state statute excluding blacks from participation in the Democratic primary; in Nixon v. Condon [286 U.S. 73 (1932)], a state statute which authorized state political party leaders to exclude on the basis of race was found to be constitutionally impermissable; in Smith v. Allwright [321 U.S. 649 (1944)], the Court held unconstitutional any practice of exclusion from primary elections on the basis of race. In Terry v. Adams [345 U.S. 461 (1953)], the Court held unconstitutional a "pre-primary" primary in Fort Bend County, Texas which excluded blacks from participation; in United States v. Texas [384 U.S. 155 (1966)], the Court struck down the poll tax requirement in state elections and in Beare, et. al. v. Smith [321 F. Supp. 1100 (1971)], the Court ruled unconstitutional the Texas annual voter registration statute on Fourteenth Amendment grounds (the burden of annual voter registration fell heaviest on Mexican American and black citizens). Finally,

the use of multi-member state legislative districts in urban Texas counties (containing large percentages of minority population) were held to be unconstitutional in *White* v. *Regester* [412 U.S. 755 (1973)] and *Graves* v. *Barnes* [378 F. Supp. 640 (W.D. Texas, 1974)]. The history of state discouragement and exclusion is given in greater detail in U.S. Commission on Civil Rights, *Hearings on the Extension of the Voting Rights Act, of 1965*, before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary House of Representatives, February and March, 1975, starting at pages 360, 398, 519, 799, 800, and 853.

[5] Daniel J. Elazar, *American Federalism: A View From The States*, 2nd ed. (New York: Crowell, 1972).

[6] (New York: Random House, 1949).

[7] *Ibid.*, 5.

[8] See Griffin Smith, Jr., "Divide and Conquer," *Texas Monthly* (January, 1975) contained in *Texas Monthly's Political Reader* (Austin, Texas: Sterling Swith Publishing Company, 1978), 206-11.

[9] Aggregated from United States Bureau of the Census, *Characteristics of the Population* (1970), Vol. 1, Pt. 45 (Texas) Section 1.

[10] D. W. Meinig, *Imperial Texas: An Interpretive Essay in Cultural Geography* (Austin, Texas: University of Texas Press, 1969). The patterns of settlement herinafter described are taken from this source.

[11] Clifton McClesky, *et al.*, *The Government and Politics of Texas*, 6th edition (Little, Brown and Company, 1978), Chapter 4. The depiction of political party orientation contained in the text is taken from this source.

CHAPTER 1. FOOTNOTES

[12] Aggregated from United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45, (Texas), Section 1.

[13] Aggregated from United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45, (Texas), Section 1.

[14] Aggregated from United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45, (Texas), Section 1.

[15] Aggregated from United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45, (Texas), Section 1.

[16] Aggregated from United States Bureau of the Census, Characteristics of the Population (1970), Vol. 1, Pt. 45, (Texas), Section 1.

CHAPTER 2
MINORITY AND FEMALE REPRESENTATION IN THE TEXAS EXECUTIVE BRANCH

The Texas Executive branch is a product of the 1876 Constitution, which reflects the spirit of post-Reconstruction Texas and "Jacksonian democracy."[1] The post-Reconstruction era which produced the 1876 Constitution stressed the predominance of legislative power over a weakened executive. The governor, for example, was only one of the executives elected statewide. The historical impact of the era of President Andrew Jackson was also evident in the character of the 1876 document. According to the principles of "Jacksonian democracy," most public officials should be elected to office, not appointed. The impact of this principle was to result in the election of seven major executive officials under the 1876 Constitution, not to mention numerous members of boards and commissions. And, the principle of "Jacksonian democracy" was to insure constitutionally the election of a number of county and district officials as well (see chapters 3 and 5 below).

The multiple executive in Texas consists of the Governor, the Lieutenant Governor, the Attorney General, the Comptroller of Public Accounts, Commissioner of the General Land Office, Commissioner of Agriculture, and the State Treasurer. The

Secretary of State, the chief election officer in Texas, is appointed by the governor.[2]

There have been no Spanish surname or black executives elected to any office of Texas' multiple executive at least since Reconstruction. A female--"Ma" Ferguson--was elected to the office of Governor of Texas twice during the Twentieth Century (she was elected for terms in 1925-27 and 1933-35). No other female has been elected to the other statewide elected positions mentioned above. However, two females have been appointed to the executive office of Secretary of State in January, 1925 (Mrs. Emma G. Meharg) and in January, 1927 (Mrs. Jane V. McCallum). And, one Spanish surname male--Roy Barrera--was appointed to this office in March, 1968.[3] Much of the administrative regulation in Texas is undertaken by the labyrinth of boards and commissions (there were over 240 in 1978). In large part, these administrative institutions operate beyond the public view in a world of specialized function, policy-making and regulation. In many respects the daily lives of Texans are more influenced in economic and social affairs by boards such as the State Insurance Board or commissions such as the Texas Railroad Commission than members of the more visible multiple executive described above. For an analysis of the representational composition of most of these important administrative institutions, see the following chapter.

CHAPTER 2
FOOTNOTES

[1] See Fred Gantt, Jr., The Impact of the Texas Constitution on the Executive (Institute of Urban Studies: Houston, Texas, 1973), chapter 1.

[2] Texas Constitution, Article 4, Sec. 1 and Sec. 21.

[3] Texas Almanac, 1969-70.

41

CHAPTER 3

REPRESENTATION OF MINORITIES AND FEMALES ON TEXAS BOARDS AND COMMISSIONS

The state administrative structure, in part created by the Texas Constitution of 1876, was heavily influenced by the logic of fragmentation contained in the concept of Jacksonian democracy (see Chapter 2 for a definition of this concept). The administration is composed of a "plural executive," with power shared by elected and appointed officials (see Table 3-1). Eight executives are elected to head individual state departments.[1]

"Boards and commissions," commentators write, "dominate the structure of Texas state administration."[2] Political scientists classify the maze of boards and commissions accordingly: full-time (mainly regulatory); part-time, "citizen" (per diem or expenses only; policy-making); part-time, ex-officio (officials with some citizen members); part-time licensing and examining (largely self-run, with professional association endorsement); and citizen advisory (frequently serving existing agencies) (see Table 3-2 for examples of these classifications).[3]

The most current Guide to Texas State Agencies[4] lists 242 agencies, boards and commissions. This study examined the racial/ethnic and sex composition of Texas boards and commissions which have had a statutory life for all of most of the period 1968-78. By this standard, there were 231 boards and commissions chosen in this study.

Of the 231 agencies, 106(45.8%) were composed of Anglo male members only. Sixteen percent (n=37) have a 1968-78 membership of Anglo males and females only, while thirty-two (13.9%) of the 231 entities have an all male membership--both minority and non-minority male. Members of all groups (Spanish surname persons and/or blacks, along with members of both sexes) constitute the membership of fifty-four (23.4%) boards and commissions of the 231 agencies analyzed. Two of the total 231 were composed of Anglo female members only--the Board of Tuberculosis Nurse Examiners and the Fanin State Battleground Commission.

TABLE 3-1
A SELECT LISTING OF MAJOR FULL-TIME
ELECTIVE AND APPOINTIVE ADMINISTRATIVE OFFICIALS
AND BOARDS AND COMMISSIONS IN TEXAS

Full-Time Single-Officials	Full-Time Boards Commissions
Elective	Elective
Governor	Railroad Commission of Texas (3)*
Lt. Governor	State Board of Education (24)
Attorney General	
Comptroller of Public Accounts	
Treasurer	
Commissioner of the General Land Office	
Commissioner of the Agriculture	

* Denotes number of members on the board or commission.

TABLE 3-1 Cont'd.

Appointive	Appointive
Secretary of State	State Board of Insurance (3)*
Adjutant-General	Texas Highway Commission (3)
Commissioner of Labor	Texas Water Rights Commission (3)
Director, Office of State-Federal Relations	Board of Pardons and Paroles (3)
Executive Director, Department of Community Affairs	Industrial Accident Board (3)
	Texas Employment Commission (3)
	Public Utilities Commission (3)

Source: B. Pettus and R. Bland, Texas Government Today The Dorsey Press, (1976), 177. (Reprinted with permission of the authors and publisher.)

*Denotes number of members on board or commission

TABLE 3-2
CLASSES OF TEXAS BOARDS AND COMMISSIONS

I. Full-time regulatory and claims boards

Railroad Commission of Texas (3)*(elective)
State Board of Insurance (3)
Public Utilities Commission (3)
Texas Water Commission (3)
Board of Pardons and Paroles (3)
Industrial Accident Board (3)
Texas Employment Commission (3)

II. Citizen boards

Important examples of these boards, which number almost 100, are the following:

State Board of Education (24) (elective)
State Board of Public Welfare (3)
State Highway and Public Transportation Commission (3)
Texas Board of Health (18)
Texas Board of Corrections (9)
Public Safety Commission (3)
Texas Water Development Board (6)
Coordinating Board, Texas College and University System (18)
Texas Air Control Board (9)
Parks and Wildlife Commission (6)
Texas Alcholic Beverage Commission (3)
State Securities Board (3)

III. Professional licensing and examining boards

Thirty-three professional groups have secured governmental endorsement of vocational and professional qualifications and standards. Ten other agencies license such professions as teachers, commercial driving instructors, and insurance agents. Examples include:

State Board of Barber Examiners (3)
State Board of Medical Examiners (9)
State Board of Morticians (6)
Texas Board of Plumbing Examiners (6)

* (3) Denotes number of board or commission members.

TABLE 3-2 Cont'd.

IV. Ex officio boards

Some part-time boards are comprised in whole or in part by officials who are given statutory duties on boards in addition to their regular and primary responsibilities. A good example is membership of the treasurer and banking commissioner, along with a citizen member, on the State Banking Board.

Source: B. Pettus and R. Bland, Texas Government Today, rev. ed. (Dorsey Press: Homewood, Illinois, 1979), 181. (Reprinted with permission of the authors and publisher.)

Sixty-Six (28.6%) of the 231 boards and commissions were chosen for a more in-depth analysis. The in-depth analysis is reported in the Apendices, A-1, A-2, A-3 and A-4 on tables which reflect board composition according to race and gender. The select boards and commissions were chosen for a more in-depth analysis on the basis of their statewide visibility, importance, budgetary and staff size and policy-making import. For example, the elected three person Railroad Commission of Texas has an increasingly important impact on state and national energy policy through policies regulating the native oil industry. Likewise, the Public Utilities Commission, a three member commission appointed by the Governor, occupies an integral place in the regulation of the state's telephone utilities and electric power, water and sewer rates and services. And, the twenty-six member State Board of Education plays a significant role in the lives of minority and non-minority Texans alike.

A further criterion of inclusion is the board's or commission's anticipated impact on the minority and/or female populations of Texas through board regulatory or policy-making functions. University and college boards of regents, for example, are included on these grounds. Various professional certification boards, such as the Teacher's Professional Practices Commission, were also included under this criterion.

Finally, examples of elected and non-elected boards and commissions, examples of appointive and elective boards and commissions, and various full-time and part-time boards were included (see Tables 3-1 and 3-2 above).

Information for the description of administrative functions has been drawn from the Guide to Texas State Agencies.[5] The racial/ethnic and sex composition of the agencies' memberships have been traced for the period 1968-78 through various editions of the Texas State Directory,[6] and the Texas Almanac.[7] Further, verification of these findings was sought through letters and telephone contacts with board members and executive directors.

An analysis of the select sixty-six boards reveals the general racial/ethnic composition for the period 1968-78 (see Table 3-3 below). Each board's or commission's membership was analyzed at two year intervals, 1968-78. The typical term of office for an administrative agency in Texas is six years and most of the boards and commissions stagger the positions. Hence, an analysis each two years over an eleven year period assures that most board membership changes are reflected.

Anglo males overwhelmingly predominated among the sixty-six select board members, comprising 85.6% (n=2240) of the total (i.e., see Table 3-3). Anglo females were next best represented: they held 8.2% of the appointments (n=214). Spanish surname males served in 3.7% of the positions (n=97); their black male counterparts fared less well, with 1.6% (n=42). Both Spanish surname female representation (0.7%, n=18) and black female membership (0.2%, n=5) were, even when combined less than one percent.

TABLE 3-3
MINORITY AND FEMALE REPRESENTATION ON SIXTY-SIX SELECT BOARDS AND COMMISSIONS IN TEXAS, 1968-78

	Male	Female
Spanish Surname	97 (3.7%)	18 (0.7%)
Black	42 (1.6%)	5 (0.2%)
Anglo	2240 (85.6%)	214 (8.2%)
Total	2379 (90.9%)	237 (9.1%)

Source: Texas State Directory, 17th-22nd editions, Texas Alamanac, 1968-78. For black identification, see note four.

It should be noted that, given this method of analysis, and the typical six year term, the same board member may appear in a given analysis three times or more over a six year period. Hence, this method overstates the appointment or election of individuals, in that the same person holding a board position is reflected several times in an analysis over an eleven year period.

Four groups of agencies are discernible for their distinct differences in ethnic and sex memberships: Boards with all Anglo male membership, all Anglo and minority male membership, all Anglo males and female composition and boards with mixed ethnicity/race and sex. A description of board and commission membership, defining these groups, follows below. The first grouping--agencies with an all Anglo male membership, 1968-78--number 106. The twenty-six select boards in this category are listed in the left hand column below, while the eighty other agencies in this category are contained in the right hand column.

Anglo Male Membership Only
(Total n=106)

Select Boards
(See Appendix A-1 Tables A3-1-26)
(n=26)

(1) Air Control Board

(2) Alcoholic Beverage Commission

(3) Automatic Tax Board (Ad Valorem Rate Board)

(4) Banking Board (State)

(5) Board of Regents, East Texas State University

(6) Board of Regents, North Texas State University

(7) Board of Regents, Texas Tech University

(8) Board of Regents, Tyler State College

(9) Building Commission

(10) Highways and Public Transportation, Commission on

(11) Industrial Accident Board

(12) Insurance, State Board of

(13) Interstate Compact Commissioner (Red River)

(14) Judicial Qualifications, State Commission on

(15) Law Enforcement Officer Standards and Education, Commission on

Other Boards and Commissions
(n=80)

(1) Amusement Machine Commission
(2) Antiquities Committee (Texas)
(3) Architectural Examiners, State Board of
(4) Athletic Trainers, Board of
(5) Basic Sciences Examiners, Board of

(6) Brazos River Authority
(7) Canadian River Commission
(8) Chirpractors' Examiners, Board of
(9) Coastal Industrial Water Authority
(10) Control, Board of

(11) Concho River Water and Soil Conservation Board
(12) Colorado River Authority, Central
(13) Colorado River Authority, Upper
(14) Colorado River Authority, Lower
(15) Deaf, State Commission for the

(16) Depository Board
(17) Development Board
(18) Egg Marketing Board (one board member is Chinese American)
(19) Emergency Resources Planning Committee
(20) Employees Retirement System of Texas, Board of Trustees

(21) Evergreen Underground Water Conservation District
(22) Fuel and Public Printing, Board to Approve Contracts for
(23) Guadalupe-Blanco River Authority
(24) Guard Reserve Corpus Advisory Board
(25) Gulf Coast Waste Disposal Authority

(26) Gulf States Marine Fisheries Commission
(27) Interstate Oil Compact Commission

Other Boards and Commissions (Cont'd.)

(16) Motor Vehicle Commission

(17) Parks and Wildlife Commission

(18) Pecos River Compact Commissioner

(19) Railroad Commission (Texas)

(20) Real Estate Commission

(21) Rio Grande Compact Commissioner

(22) Sabine River Compact Commissioner

(23) Utilities Commission, Public

(24) Water Development Board

(25) Water Quality Board

(26) Water Rights Commission

(28) Interstate Parole Compact Advisory Commission
(29) Jackson County Flood Control District
(30) Judicial Uniform Interstate, Compact Advisory Board

(31) Landscape Architects, Board of
(32) Lavaca City Flood Control District
(33) Law Library (State), Board
(34) Mass Transportation Advisory Board
(35) National Board Advisory Board

(36) Neches River Conservation District
(37) Neches River Municipal Water Authority (Upper)
(38) Neches Valley Authority (Lower)
(39) Occupational Safety Board (Texas)
(40) Off-Shore Terminal Commission
(41) Pest Control Board of Texas
(42) Performance Certification Board for Mobile Homes
(43) Pink Bollworm Commission
(44) Pilots Commission for Port of Galveston and Texas City
(45) Pilot Commission for Savine Bar, Pass, and Tributaries
(46) Pilots Branch for Brazos Santiago Bar, Pass and Tributaries
(47) Pilots Branch for Port Aransas Bar, Corpus Christi Bay and Tributaries
(48) Pilots Branch for Galveston and Houston Channel
(49) Pilots Branch for Matagorda Ship Channel
(50) Plumbing Examiners, Board of

(51) Professional Engineers, Board of Registration for
(52) Prosecutors Coordinating Board
(53) Psychotherapy, Board of Social Examiners
(54) Public Safety Commission
(55) Radiation Advisory Board*
(*Verification for 1978 only)

(56) Railroad Manager, Board of
(57) Red River Authority
(58) Red River (Upper) Flood Control and Irrigation District

Other Boards and Commissions (Cont'd.)

(59) Rio Grande Valley Municipal Water Authority
(60) Road Indebtedness Board (County/District)

(61) Runnels County Water Authority
(62) Sabine River Authority
(63) San Jacinto River Authority
(64) Securities Board
(65) Seed and Plant Board (State)

(66) Soil and Water Conservation, Board of
(67) Southern Interstate Nuclear, Board
(68) Submerged Land Advisory Commission
(69) Sulphur River Conservation and Reclamation Board
(70) Sunset Advisory Commission

(71) Surplus Property Agency
(72) Surveyors, Board of Registration for Public
(73) Tourist Development Agency (Texas) Board of
(74) Tri-County Municipal Water District
(75) Turnpike Authority (Texas)

(76) Uniform State Laws, Commissioners to National Conferences on
(77) University Lands, Board for Lease of
(78) Veterans Land Board
(79) Veterinary Medical Examiners, Texas Board of
(80) Water Well Drillers' Board

The twenty-six select boards and commissions above contain only one elective board among their number--the Texas Railroad Commission. The remaining twenty-five are appointive. Four boards of regents of colleges and universities--East Texas State University, North Texas State, Texas Tech University and Tyler State College--are listed among the twenty-six select agencies. These institutions are located in regions with significant minority populations

(Mexican American concentrations in the Panhandle and blacks in East and North Texas). Other visible and important agencies are included in this listing: the Alcoholic Beverage Commission, the State Banking Board, the Commission on Highways and Public Transportation, the Industrial Accident Board, the State Insurance Board, the Commission on Law Enforcement Officer Standards and Education, the Real Estate Commission, the recently established Public Utilities Commission and three water regulatory and planning boards and commissions. Of equal importance, however, is the fact that nearly one out of two boards and commissions analyzed for the decade 1968-78 had an all Anglo male membership. This fact speaks for the racial and sex personnel characteristics of power in the Texas administrative system. And, this composition for nearly one-half of the 231 agencies analyzed demonstrates unequivocally the lack of a representative bureaucracy in this state.

Thirty-two (13.9% of the total 231) of the agencies analyzed had an eleven year membership of only Anglo and minority (Spanish surname and/or black) males. Eleven of these entities were among the sixty-six select boards and commissions (See Appendix A, Tables A3-30-40). The left hand column below contains these eleven agencies, while the other twenty-one all male agencies are listed on the right.

Anglo and Minority Male Boards
(Total n=32)

Select Boards
(See Appendix A-2, Tables A3-27-37)
(n=11)

(1) Board of Regents, Lamar University

(2) Board of Regents, Texas State Technical Institute

(3) Dental Examiners, Board of

(4) Finance Commission, Texas

(5) Fire Protection Personnel Standards and Education, Commission on

(6) Human Resources, Department of

(7) Industrial Commission, Texas

(8) Morticians, Board of

(9) Pharmacy, Board of

(10) Tax Board

(11) Veteran's Affairs Commission

Other Boards and Commissions
(n=21)

(1) Animal Health Commission
(2) Civil Air Patrol Commission (Texas)
(3) Community Affairs, Advisory Council on
(4) Corrections, Board of
(5) Crime and Narcotics Advisory Board

(6) Criminal Justice Advisory Board
(7) Defense and Disaster Relief Council
(8) Indian, Affairs, Texas Commision for
(9) Jail Standards, Texas Commission on
(10) Judicial Council

(11) Legal Services Corporation, Advisory Council on
(12) Medical Examiners, Board of
(13) Municipal Retirement System, Board of Trustees
(14) Nueces River Authority
(15) Nueces River Conservation and Reclamation District, Board of

(16) Optometry, Board of Directors of
(17) Pilots Branch Brazos River Harbor Navigation, Ditrict of Brazos County
(18) Podiatry Examiners, Board of
(19) Rio Grande Valley Pollution Control Authority
(20) Trinity River Authority, Board of Directors of
(21) Work Furlough Program Advisory Board

The composition of the boards, along with the 106 all Anglo male boards, reaffirms the characterization of Texas as a state with a traditional political culture which excludes or discourages participation or representation by and of women. Stated in other terms, three out of five (59.7%) of the 231 agencies of the Texas administrative system were constituted by male membership exclusively.

The minority composition of the eleven select boards and commissions also deserves closer analysis. Only 9.3% (n=41) of the select board membership from 1968-78 was either Mexican American or black. In other words, nine out of ten of the members of these "integrated" male dominated agencies were Anglo. Spanish surname males constituted 6.5% (n=29) of the membership of these eleven boards, while black males fared less well in representation with 2.7% (n=12).

The boards in this category include the Boards of Regents of Lamar University and Texas State Technical Institute. Examining commissions, such as those governing licensure of pharmacists, morticians, dentists and medical doctors, are included. Finally, important regulatory commissions such as the Finance Commission, the Industrial Commission and the Commission on Jail Standards are contained in the listing above. The integral Board of Corrections, which provides rehabilitation programs for criminal offenders and which oversees the quality of treatment for the criminal offender, is also in this category.

Minority representation exceeded ten percent on five of the eleven select boards. These agencies are the Commission on Fire Protection Personnel Standards and Education (15.6% minority representation), Texas Industrial Commission (13.3%), Texas State Board of Morticians (19.4%), the State Board of Pharmacy (13.9%) and the State Tax Boards (11.1%).

Thirty-five (15.2% of the total 231) of the administrative units analyzed for the period 1968-78 were composed of only Anglo males and females. Nine select boards can be found in this number; they are listed below on the left, along with the other boards in this category on the right. Male membership on these boards accounted for nearly nine out of ten positions (88.5%), while women occupied 11.4% (n=37) during the 1968-78 period. A listing of the boards and commissions follows.

Anglo Male and Female Boards
Total n=35)

Select Boards
(See Appendix A-3 Tables
A3-38-46)
(n=9)

(1) Alcoholism, Commission on
(2) Board of Regents, Midwestern University
(3) Board of Regents, West Texas State University
(4) Credit Union Commission
(5) Firemen's Pension Commissioner

Other Boards and Commissions
(n=26)

(1) American Revolution Bicentennial Commission
(2) Austin State Hospital
(3) Blind, State Commission for the
(4) Civil Judicial Council
(5) Civil War Centennial Commission
(6) Coastal and Marine Council
(7) Credit Unions Advisory Council
(8) Deaf, Commission for
(9) General Land Office Commission
(10) Hearing Aid Examiners, Filling and Dispensing, Board of

Other Board and Commissions (Cont'd.)

(6) Library and Historical Commission (Texas)

(7) Private Employment Agency Regulatory Board

(8) Rehabilitation, Commission for

(9) Teacher's Retirement System, Board of Trustees

(11) Labor Statistics Board
Library Examiners, Board of
(12) Merit System Council
(13) Metric System Advisory Council
(14) Nimitz Memorial Naval Museum Commission

(15) Nurse Examiners, Board of Vocational
(16) Nursing Home Administrators, Board of Licensing for
(17) Organized Crime Prevention Council
(18) Physical Therapy Examiners, Board of
(19) Private Investigators and Private Security Agencies, Board of

(20) Produce Recovery Fund Board
(21) Rural Medical Education Board
(22) San Jacinto Historical Advisory Board
(23) School Land Board
(24) Sports, Governors Advisory Council on Lifetime

(25) Visually Handicapped, Policy Board for Service to the
(26) Youth Camp Safety, Advisory Council on

Although this classification of boards and commissions contains the board of regents of two universities--those of Midwestern University and West Texas State University--as well as important licensing and regulatory entities such as the Credit Union Commission, a certain statewide visibility is lacking from the thirty-seven agencies in this grouping. That is not to say that the Commissions for the Blind and for the Deaf do not serve especially important constituent-groups, nor that the examining boards such as the Board of Library Examiners and the Vocational Nurse Examiners are not serving significant functions; rather, all bureaucracies, directly or indirectly, are important to the constituents which they serve. However, with only a few exceptions, many of the financially potent agencies are absent from the list above. Moreover, most of the powerful regulatory agencies are found in those lists with all male and overwhelmingly Anglo membership. In terms of the scope of administrative function, size of staff and budgetary allocations, a case can be made for the power, prominence and prestige associated with the 106 boards and commissions with all male Anglo membership during the past decade.

On four of the nine select boards, women constituted over ten percent of the membership. These are the boards of the Firemen's Pension Commission (33.3%) (a female served as commissioner during 1968-71), the Regulatory Board of the Texas Private Employment Agency (20.5%), and the Texas Commission for Rehabilitation (16.7%) and the Board of Trustees of the Teacher's Retirement System (11.6%). But it should be remembered that males still held nearly nine out of ten of the positions on these boards for the period 1968-78.

A final categorization used in this study groups together those boards whose membership was integrated among minority and non-minority, male and female members. Fifty-five (23.8%) of the total 231) boards and commissions can be so characterized. The select boards in this grouping number twenty. The racial/ethnic and sex proportions in this most "integrated" classification still reveals that Anglo males constitute 76.5% (n=858) of the positions analyzed for the period 1968-78. Anglo females were 16.1% (n=181) of the positions analyzed, while the total female proportion on the boards was 18.1% (n=204). But more discrete analysis demonstrated that Mexican American and Black females were grossly underrepresented--making up 1.6% (n=18) and 0.4% (n=5) of the only grouping of boards and commissions in which they are represented. From these statistics, it is safe to conclude that minority women have virtually no voice in the segment of the Texas administrative system signified by the sixty-six select boards. And it should be noted that this study reflects that minority women are absent from 177 (76.6% of the total 231 boards researched).

Of the twenty select boards, total minority representation (Mexican American and/or black, male and female) exceeds ten percent for the eleven year period on eight (42.1%) boards and commissions. They are the Board of Directors of Texas A&I University (22.2%) (the Kingsville campus contains a significant Spanish surname student population), the Board of Regents of Pan American University (42.6%) (the Edinburg campus of Pan American has over an eighty-five percent Spanish surname student population), the Board of Texas Southern University (74.1%) (the only majority minority board or commission in Texas among those analyzed; Texas Southern remains one of the traditional "black" State colleges with a virtually all minority student population today); the State Board of Education (elective) (12.1%), the Texas Employment Commission (13.3%), the

Texas Board of Health Resources (11.2%), the Board of Mental Health and Mental Retardation (10.1%) and the Board of Pardons and Paroles (including the Commissioners) (16.7%).

Those select boards with significant female representation (one-fifth of the board membership or more over an eleven year period) number four (21.1%). They are the Board of Regents of Texas Women's University (50.9), the Texas State Board of Nurse Examiners (86.1%), the Teacher's Professional Practices (57.3%) and the State Textbook Committee (51.1%). Although these are important educational and examining boards, there is a traditionally female characterization of the occupational work force and constituency (in the case of Texas Women's University for example) which these boards and commissions represent.

Another observation can be reached concerning the heavily minority composition of the boards of Texas Southern and Pan American Universities. Minority persons occupied 11.4% (n=129) of the entire select board representation. Yet, two boards--Pan American University and Texas Southern University--constitute 33.3% (n=43) of all of the minority representatives serving on the select boards. Conversely, the powerful Texas A&M Board, which also oversees the ninety percent black Prairie View A&M University located in Waller County (see Chapter 14 below), has had only one minority person (a black male) on the board in eleven years.

Although a number of university and college system boards are included among the total fifty-five in this grouping, many of the agencies represented in the listing lack the highest power, prominence and prestige among administrative units within the Texas administrative system. The Battleship "Texas" Commission and the Governor's Commission on Physical Fitness are cases in point.

Spanish surname males compose 6.1% (n=69) of the positions on the select boards in this grouping, while black males held 2.6% (n=30) of the positions, 1968-78. Again, in the most "integrated" grouping of agencies, analysis of the select boards reveals that minority males constitute only 8.8% (n=99) of the positions and total minority representation is only 11.4% (n=129) of the category wherein all racial/ethnic groups are represented. The listing of the boards and commissions in this category follows.

Boards with Spanish Surname and/or Black, Male and Female Membership, 1968-78
(Total n=55)

Select Boards
(See Appendix A-11 Tables A3-47-66)
(n=20)

(1) Board of Directors, Texas A&I University

(2) Board of Regents, A&M University System

(3) Board of Regents, Pan American University

(4) Board of Regents, Stephen F. Austin State University

(5) Board of Regents, Texas State University System

(6) Board of Regents, Texas Southern University

(7) Board of Regents, Texas Women's University

Other Boards and Commissions
(n=35)

(1) Aging, Governor's Committe on
(2) Arts and Humanities, Commission on
(3) Barber Examiners, Board of
(4) Battleship "Texas" Commission
(5) Canvassers, State Board of
(6) Children and Youth, Commission on Services to
(7) Cosmetologists and Hairdressers, Board of
(8) Criminal Justice Advisory Board
(9) Deepwater Port Authority
(10) Developmental Disabilities Planning and Advisory Council
(11) District Review Committee
(12) Early Childhood Education, Advisory Council on

Select Boards (Cont'd.)

(8) Board of Regents, University of Houston

(9) Board of Regents, University of Texas System

(10) Board, (Texas) Coordinating College and University System

(11) Education, Board of

(12) Employment Commission

(13) Health Resources, Texas Board of

(14) Intergovernmental Relations, Advisory Commission on

(15) Law Examiners, Board of

(16) Mental Health and Mental Retardation

(17) Nurse Examiners, Board of

(18) Pardons and Paroles, Board of

(19) Teacher's Professional Practices Commission

(20) Textbook Committee (State)

Other Boards and Commissions (Cont'd)

(13) Education in the Public Schools, Governor's Committee on
(14) Technical-Vocational Education, Advisory Commission on
(15) Film Commission

(16) Fine Arts Commission
(17) Greater South Texas Cultural Basin Commission
(18) Good Neighbor Commission
(19) Historical Survey Committee
(20) Historical Commission

(21) Hospital Advisory Council
(22) Hospital Licensing Advisory Council
(23) Human Relations, Governor's Committee on
(24) Interstate Compact Commission
(25) Judgments Against Insolvency, Board to Sell

(26) Juvenile Justice and Delinquency Prevention Advisory Board
(27) Kennedy, John F. Memorial Commission
(28) Physical Fitness, Governor's Commission on
(29) Polygraph Examiners, Board of
(30) Retirement System Board (City and District)

(31) Texas Judicial Council
(32) Tuberculosis Advisory Committee
(33) San Antonio River Authority
(34) Status of Women, Commission on the
(35) Youth Council

But the Texas Employment Commission and the Texas Board of Health Resources are prominent and comprehensive commissions in this category. Among the more powerful and less powerful boards alike, minorities and women are severly underrepresented in the most "representative" board and commission grouping employed in this research.

Exclusion or low representational levels of minorities and females characterizes the elective and appointive board selection process in this state. Appointment--which reflects gubernatorial discretion in selection--results in a severe lack of minority and female representation in the administrative institutions of this state. The biography of administrative control in Texas is that of the Anglo male. That finding may not surprise many; however, the statistical disproportions of Anglo male membership can only be understood in a state with a legacy of exclusion of Mexican Americans and blacks, as well as a traditional political culture which effectively precludes an administrative representativeness which reflects the diverse population of the state. And, more importantly, lack of minority representation many times precludes the administrative system's ability to provide for the diverse needs, problems, and services which a representative bureaucracy can best serve.

CHAPTER 3. FOOTNOTES

[1] Texas Constitution, Article 4, Sec. 1.

[2] B. Pettus and R. Bland, Texas Government Today, (Dorsey Press: Homewood, Illinois, 1976), 179.

[3] B. Pettus and R. Bland, Texas Government Today, rev. ed. (Dorsey Press: Homewood, Illinois, 1979), 181.

[4] Guide To Texas State Agencies, 5th ed. (Lyndon B. Johnson School of Public Affairs, University of Texas at Austin, 1978), 2.

[5] Guide To Texas State Agencies, 5th ed. (Lyndon B. Johnson School of Public Affairs, University of Texas at Austin, 1978), 2.

[6] Dorothy Wells (ed.), Texas State Directory, 22nd edition (Texas State Directory: Austin, Texas, 1979). The seventeenth through twenty-second editions were employed in the analysis.

[7] Fred Pass (ed.), Texas Almanac 1978-79 (A. H. Bello Corporation: Dallas, Texas, 1977). The relevant Alamanacs for the period 1968-78 were also employed.

Black persons were identified with the aid of Representative Paul Ragsdale (D-Dallas County), an interview with Mr. M. J. Anderson, March 20, 1979, Austin, Texas and(over-vertifications from the boards and commissions fifty percent of the boards and commissions verified the findings of this research).

CHAPTER 4
MINORITY AND FEMALE REPRESENTATION IN THE CONGRESS AND TEXAS LEGISLATURE

United States Senators from Texas

There have been no female nor minority persons elected to the United States Senate from Texas since statehood (1845).

Congressmen and Congresswomen from Texas, 1968-78.

According to the 1960 decennial census, Texas was apportioned twenty-three representatives to the U.S. House of Representatives. In 1970, Texas was apportioned an additional seat for a total of twenty-four. Minority representation has remained a constant during the period 1968-78; two Mexican Americans from the South Texas region have held their respective seats from the early Sixties to the present (see Table 4-1). Black representation to the national House of Representatives has also remained constant since 1972. In the November, 1978 election, a black male replaced a black female in the Congressional delegation. Both individuals were elected from a seat in Harris County in the East Texas Region.

Table 4-1.
MINORITY AND FEMALE REPRESENTATION IN THE U.S. HOUSE OF REPRESENTATIVES, 1968-78

	1968	1970	1972	1974	1976	1978
Mexican American	2 (8.7%)	2 (8.3%)	2 (8.3%)	2 (8.3%)	2 (8.3%)	2 (8.3%)
Black	0 (0.0%)	0 (0.0%)	1* (4.2%)	1* (4.2%)	1* (4.2%)	1* (4.2%)
Minority Representation	2 (8.7%)	2 (8.7%)	3 (12.5%)	3 (12.5%)	3 (12.5%)	3 (12.5%)
Female	0 (0.0%)	0 (0.0%)	1 (4.2%)	1 (4.2%)	1 (4.2%)	1 (4.2%)

*A black female, Barbara Jordan, was the only female member of the Texas delegation 1972-1978.

Source: *Texas Almanac*, 1968-78; identification of blacks by Rep. Paul Ragsdale.

In 1978, only one other former Confederate State--Tennessee--had a black person serving in the House of Representatives.[1] IN 1978, three Southwestern States--Texas, New Mexico, and California--Spanish surname persons were serving in the House of Representatives.[2] Thus, in 1978, Texas contrasted favorably in minority representation on congressional delegations (both Black and Spanish surname representation combined) with her sister states in the Southwest and South.

The importance of contrasting Texas, a Southwestern state, with other Southwestern states to the west and to Southern states to the east, can be seen in Table 4-2, which compares states in those two regions with Texas as to the percentage and number of Spanish surname and black persons composing the populations of the respective states. The importance of this composition

TABLE 4-2

PERCENTAGE AND NUMBER OF BLACK AND SPANISH SURNAME POPULATION IN SOUTHERN AND SOUTHWESTERN STATES, 1970

	BLACK POPULATION			SPANISH SURNAME POPULATION		
STATE	TOTAL POPULATION	NUMBER	PERCENT	TOTAL POPULATION	NUMBER	PERCENT
Alabama	3,444,145	903,467	26.3			
Arizona	1,770,893	52,799	2.9	1,770,893	246,390	13.9
California	19,957,304	1,398,498	7.0	19,957,304	2,222,185	11.1
Georgia	4,589,575	1,187,149	25.9			
Louisiana	3,641,306	1,086,832	29.9			
Mississippi	2,216,912	815,770	36.8			
New Mexico	1,016,000	19,314	1.9	1,016,000	324,248	31.9
North Carolina	5,082,059	1,126,478	22.2			
South Carolina	2,590,516	739,041	28.5			
Texas	11,169,730	1,396,605	12.1	11,169,730	2,059,671	18.4
Virginia	4,648,494	861,368	18.5			

Source: United States Bureau of the Census, Characteristics of the Population, Vol. 1, Section 1 (Alabama-Mississippi) and Section 2 (Missouri-Wyoming).

is recognized when one understands that Texas shares a similar minority population composition with states in the South and Southwest. Further, and possibly of even greater import, is the similarity in electoral and other legal structures in these states (structures which have historically acted as legal barriers to minority participation and commonly shared political cultures which have tended to discourage female participation in these regions).

The State Senate[3]

Table 4-3 below demonstrates that Mexican American representation in the thirty-one member Texas Senate is slowly increasing during the mid-and late Seventies. Mexican American representatives have all been male during the period under investigation (1968-78). After Barbara Jordan (D-Texas) left the Texas Senate to run for and to win a seat in the U.S. House of Representatives, there has been no black representative in the Texas State Senate (although an Anglo female has represented a portion of Fort Worth in Tarrant County since her election in 1972).

Table 4-3. MINORITY AND FEMALE REPRESENTATION IN THE TEXAS STATE SENATE, 1968-78

	1968	1970	1972	1974	1976	1978
Mexican American	1 (3.2%)	1 (3.2%)	2 (6.5%)	3 (9.6%)	3 (9.6%)	3**(9.6%)
Black	1*(3.2%)	1*(3.2%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Minority Representation	2 (6.5%)	2 (6.5%)	2 (6.5%)	3 (9.6%)	3 (9.6%)	3 (9.6%)
Female	1 (3.2%)	1 (3.2%)	0 (0.0%)	1 (3.2%)	1 (3.2%)	1 (3.2%)

*Barbara Jordan, a black female from Harris County in East Texas.

**Four Mexican American males were elected to the Texas Senate in November, 1978. Three are from the South Texas region, while one represents El Paso County in West Texas.

Source: Texas Almanac, 1968-1978; identification of blacks by Texas State Rep. Paul Ragsdale

In 1978, black state senators served in the following former Confederate States: Alabama 2 (5.7%), Arkansas 1 (2.9%), Georgia 2 (3.6%), Louisiana 1 (2.6%), Tennessee 2 (6.1%), and Virginia 1 (2.5%).[4] Thus, six of the former Confederate states had black representation in the state senate, while seven, including Texas, did not.

Among the Southwestern states, California had 2 (5.0%) black persons and 3 (7.5%), Spanish surname persons in the Senate (40 members); two senators were female (5.0%), one of whom was black.[5] The state of Arizona had 5 (16.7%) persons of Spanish surname and no black persons of the 30 members of the state senate. There were four women in the Arizona senate (10.0%).[6] New Mexico had 13 (30.9%) Hispanic persons among the 42 members of the state senate in 1978, no black persons and one (2.4%) Native American.[7] Hence, only California has a lower percentage of Spanish surname representation than Texas among the states of the Southwest. When black representation is combined with Spanish surname percentages in 1978, Texas has the lowest minority representation among her sister states of the Southwest. Further, both California and Arizona have a higher female representation than Texas in their state senates.

The Texas House of Representatives

The second chamber of the Texas legislature is composed of 150 members elected from single member districts throughout the state.[8] The Texas legislature is constitutionally limited to regular sessions of 140 days every two years (Texas Constitution, Art. 3, Secs. 15, 24). Table 4-4 illustrates that Spanish surname persons have constituted 7.3% of the legislative representatives from 1968-78.[9] Only one Mexican American female (0.1%) has served in the Texas House (serving during the Sixty-fifth Session, 1977 and she was re-elected in November, 1978). There has been an increase in Spanish surname representation in the House during this decade, but that increase is largely the result of single member district litigation.[10]

Black representatives constituted 4.0% of the state lower house seats during the period of 1968-78. Black female representation lags considerably behind black male representation--0.9% to 3.1%. The federal court decisions outlined above account for the increased black representation during the Seventies (see note 8, below).

Female representation in the state legislature has increased from 0.6% in 1968 to 7.4% in 1978. Seven of the eleven female representatives serving in 1978 were Anglo; minority female representation has increased since 1968, but not nearly at the rate of Anglo women. Quite probably this increase is partly affected by the influence of the national womens' movement and in part effect by the legal decisions requiring single member

TABLE 4-4
MINORITY AND FEMALE REPRESENTATION IN THE TEXAS HOUSE OF REPRESENTATIVES, 1968-78

YEAR	SPANISH SURNAMED MALE	SPANISH SURNAMED FEMALE	BLACKS MALE	BLACKS FEMALE	MINORITY REPRESENTATION MALE	MINORITY REPRESENTATION FEMALE	ANGLO REPRESENTATION MALE	ANGLO REPRESENTATION FEMALE	FEMALE REPRESENTATION
1968	6(4.0%)	0(0%)	1(0.6%)	0(0%)	7(4.7%)	0(0%)	142(94.6%)	1(0.6%)	1 (0.6%)
1970	10(6.6%)	0(0%)	2(1.3%)	0(0%)	12(8.0%)	0(0%)	137(91.3%)	1(0.6%)	1 (0.6%)
1972	11(7.3%)	0(0%)	2(1.3%)	0(0%)	13(8.6%)	0(0%)	136(90.7%)	1(0.6%)	1 (0.6%)
1974	10(6.6%)	0(0%)	6(4.0%)	2(1.3%)	16(10.7%)	2(1.0%)	130(86.7%)	2(1.3%)	4 (2.7%)
1976	13(8.6%)	0(0%)	7(4.6%)	3(2.0%)	20(13.3%)	3(2.0%)	123(82.0%)	4(2.6%)	7 (4.6%)
1978	16(10.6%)	1(0.6%)	10(6.6%)	3(2.0%)	26(17.3%)	4(2.7%)	113(75.3%)	7(4.6%)	11 (7.3%)
TOTAL	66(7.3%)	1(0.1%)	28(3.1%)	8(0.9%)	94(10.4%)	9(1.0%)	781(86.7%)	16(1.8%)	25 (2.8%)

TOTAL REPRESENTATION MALE AND FEMALE

SPANISH SURNAMED	BLACKS	MINORITY REPRESENTATION	ANGLO REPRESENTATION	FEMALE REPRESENTATION
67 (7.4%)	36 (4.0%)	102 (11.3%)	797 (88.5%)	25 (2.8%)

Source: Texas Almanac, 1968-78, identification of blacks by Texas State Rep. Paul Ragsdale.

districts (in that minority females were elected to some of the newly established single member districts). The total female representation for the period 1968-78 was 2.8%.

Table 4-5 indicates Mexican American, Anglo, black and female representation in the House as reflected by the statistics for those elected to that legislative body in the November, 1978 election. Mexican American and black male representation increased by one person (from sixteen to seventeen Mexican Americans and from ten to eleven blacks). Minority representation remained the same. Anglo female representation increased by one person as a result of the 1978 election -- from seven to eight.

Table 4-5. MINORITY AND FEMALE REPRESENTATION
ELECTED TO THE TEXAS HOUSE OF REPRESENTATIVES, NOVEMBER, 1978.

Mexican American Male	Mexican American Female	Black Male	Black Female	Female Representation
17 (11.3%)	1 (0.6%)	11 (7.3%)	3 (2.0%)	12 (8.0%)

Source: Texas State Directory, 22nd edition (Austin, TX: TX State Dir. Inc, 1979).

Regional analysis reveals that the South and West Texas regions have produced the overwhelming percentage of Spanish surname representatives who have served during the period 1968-78. However, the November, 1978 election resulted in the election of a Mexican American from the East Texas region (Jefferson County).

Black representatives have been elected from two regions primarily (for the period 1968-78)--the East Texas (Harris County) and North Texas regions (Dallas). However, since 1972, one black person has been elected from the South Texas region and the Central Texas region respectively.

The number of black representatives from the original Confederate States holding office in the lower houses of state legislatures in 1978 can be summarized thusly: Alabama 13 (12.4% of the total delegation), Arkansas 3 (3.0%), Florida 3 (2.5%), Georgia 21 (11.7%), Louisiana 9 (8.6%), Mississippi 4 (3.2%), South Carolina 13 (10.5%), Tennessee 9 (9.0%) and Virginia 4 (4.0%).

The three sister "Sunbelt" states in the Southwest had the following proportions of Spanish surname persons serving in 1978: Arizona 6 (10.0%), California 3 (3.8%), and New Mexico 22 (31.4). The Arizona House also has as members 2 Native Americans (3.3%), 2 black persons (3.3%) and 13 women (21.7%). The California House has additional minority and female representation in the proportions of 6 blacks (7.5%), 2 Orientals (2.5%) and 9 females (11.3%). Two of the nine females in the California House are black. Finally, the New Mexico House of Representatives has one Native American (1.3%), no blacks.[11]

These comparative data indicate that Arizona and California have lower Spanish surname representation than Texas in the lower house while New Mexico significantly exceeds Texas in Spanish surname representation, Texas exceeds both Arizona and California in the combined minority representation (defined here as Mexican American and black) in California. Female representation in Arizona and California is substantially greater than this group's representation in Texas.

Four Southern states--Alabama, Georgia, South Carolina and Tennessee have a higher proportion of black persons holding office in 1978 than Texas, while Louisiana has the same proportion of blacks as Texas (8.6%) in 1978. It is interesting to note that all of these states (except Tennessee) have been impacted by federal voting rights litigation during the period 1970-1978. Further, all of these states (except Tennessee) have sustained a large number of Section 5 objections under the Voting Rights Act, 1965-June 30, 1978.[12] The importance of the litigation and the objections should be seen in the relationship between minority gains and a necessary federal government presence in these states.

The comparison of Texas with the Southwestern states results in a conclusion that Texas--with its numerically large minority populations--has a higher Mexican American representation than either Arizona or California. In all of the Southwestern states, the 1978 Spanish surname representation in the lower houses of the state legislature falls short of the percentages of Spanish surname population concentrated in those states (according to the 1970 census): Arizona (13.9%

population, 10.0% representation), California (11.1%, 3.8%), New Mexico (31.9%, 31.4%) and Texas (18.4%, 11.2%).

Federal intervention through the courts and through Section 5 of the Voting Rights Act has helped to explain minority gains in the Texas lower house. As we shall see in later chapters, in those electoral jurisdictions wherein a federal presence has been lacking, minority representation has not demonstrated gains comparable to those in the Texas House of Representatives, 1968-1978.

CHAPTER 4
FOOTNOTES

[1] Data derived by telephone interview, Joint Center for Political Studies, Washington, D.C., December 14, 1978.

[2] The totals per state are California 1 (2.2% of the delegation total) Spanish surnamepersons in the California delegation and Arizona has no Spanish surname representation in their congressional delegation. New Mexico has 1 (50.0%) Spanish surname person in the Congressional delegation from that state; California has 3 (6.8%) black persons in that State's Congressional delegation.

[3] Visual scans to identify Spanish surname persons and females were made of the State Senators found in the Texas Almanac, 1968-1978; records in the Secretary of State's office were also examined. Black persons were identified through the National Roster of Black Elected Officials, volumes 1-7. The same methodology was employed to compile these data for the Texas House of Representatives.

[4] Data derived by telephone interview, Joint Center for Politcal Studies, Washington, D.C., December 14, 1978.

[5] This information was obtained from the California Secretary of State's Office, Sacramento, California.

[6] This information was gathered by Professors John Garcia and Tom Hoffman, Department of Government, University of Arizona, Tucson, Arizona.

[7] This information was provided by Professor Chris Garcia, Department of Political Science, University of New Mexico, Albuequerque, New Mexico.

[8] The election of state legislators by multi-member districts was first successfully challenged in Bexar (San Antonio) and Dallas (Dallas) Counties in the case White v. Regester 412 U.S. 753 (1973). This litigation resulted in the election of three more Mexican American representatives (for a total of 4) from Bexar County and one black representative (the first in the history of the county), and in the election of 3 blacks in Dallas County (an increase of 2, for a total of 3).

In Graves v. Barnes 378 F. Supp. 640 (1974), the use of multi-member districts for state legislative elections was challenged in Travis, Jefferson, Nueces, El Paso, Lubbock, Tarrant and McLennan Counties. The adoption of single member districts as a conclusion to this litigation resulted in minority candidates being elected in all save McLennan County. The totals are as follows: Lubbock County, one Mexican American, an increase of one; El Paso County, three Mexican Americans, an increase of two; Tarrant County, one black, an increase of one; Nueces County, two Mexican Americans, an increase of one;

CHAPTER 4
FOOTNOTES CONTINUED

Jefferson County, one black was elected in 1974, an increase of one; and, in Travis County, one Mexican American and one black female were elected (although this did not constitute an increase, these individuals were first elected at-large only after litigation challenging the multi-member districts in that county had been filed).

The later increase (1976-78) of minority representatives in the Texas House is also directly related to these earlier cases. For example, fairly drawn single member districts resulted in the election of another black representative from Tarrant County in November, 1978 and a Mexican American was elected from the Port Arthur area of Jefferson County.

[9] This figure is a percentage of the total lower house electoral positions (900--150 electoral positions to be filled every two years) available during the period 1968-78. Thus, the results of special elections would be reflected on Table 4-4 in two year intervals. This methodology was employed throughout the analyses of representation to elected posts in this and later chapters.

[10] See note 8 above for the chronology of the federal court requirements that single member districts be employed for the election of House members.

[11] The composition of the New Mexico State Legislature identified by Professor Chris Garcia, Department of Political Science, University of New Mexico, Albuquerque, New Mexico.

[12] Alabama (38 objections), Georgia (65), South Carolina (37), Louisiana (44) and Texas (55). Tennessee is not covered by the Voting Rights Act.

CHAPTER 5
MINORITY AND FEMALE REPRESENTATION IN COUNTY AND DISTRICT OFFICES

Although considered an obsolete form of government by some, only the uninitiated in politics would overlook the power and impact of county officials in the 254 county jurisdictions within Texas. The principles of "Jacksonian democracy,"which are thoroughly woven throughout the Texas constitutional fabric, dictate that nearly all county offices be elected by the citizenry. The 1876 Texas Constitution specifies the general authority and function of county offices. A brief description of the authority inherent in each county office analyzed is contained below.

Research Method

The analysis of representation in county and district offices was undertaken through several primary sources: (1) the Texas Almanac, 1968 through 1978, (2) the National Roster of Black Elected Officials,[1] volumes 1-8 (1968-1978); and an examination of records maintained by the Texas Secretary of States' Office in Austin. The technique employed to ascertain the ethnicity, race and sex composition of these offices was a visual scan of names of elected county and district officials contained in the relevant volumes of the Texas Almanac. Spanish surnames were identified and checked against the United States Census' list of official Spanish surnames. Females were also identified by means of a visual scan of the names contained in the Texas Almanac and records in the Secretary of States Office. Whenever initials were listed, of course, no identification was attempted.[2] Black elected officials were identified in the National Roster of Black Elected Officials for the relevant years.

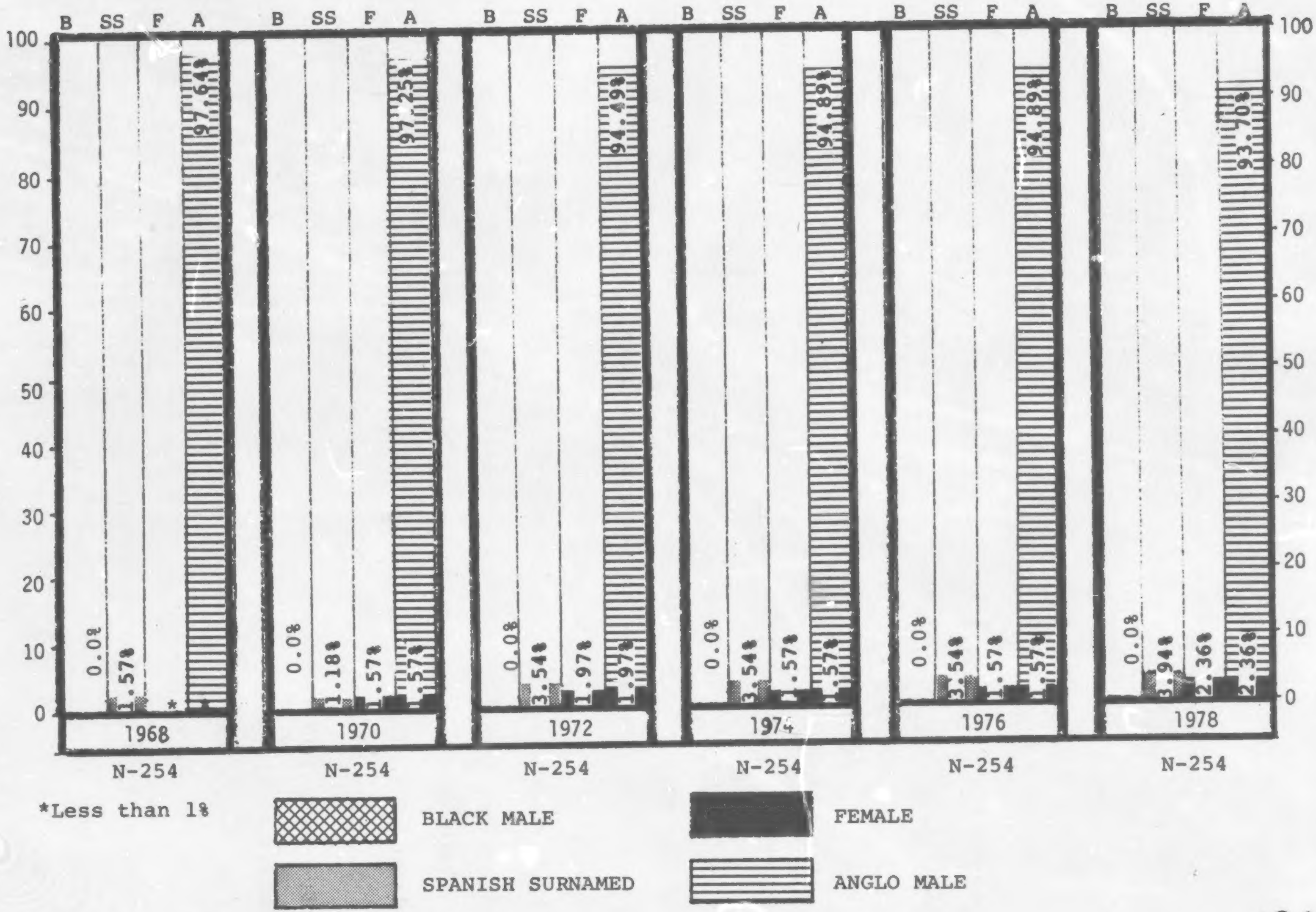
Findings: The County Judge

Article V, section 18 of the Texas Constitution provides for the governing body of a county: a commissioners'court, with four commissioners elected from "commissioner precincts" and an elected presiding officer--the county judge. The county judge serves a four year term. In his judicial role in smaller counties, the county judge has jurisdiction over nearly all Class A and Class B misdemeanors and certain jurisdiction in civil cases involving amounts between $200 and $500.[3] Further, in counties with less than 225,000 inhabitants, the judge serves as the chief budget officer. The judge also is empowered to appoint replacements to commissioners' court.

In urban counties, the decisional influence of the county judge on even larger budgets and on decisions to distribute revenue sharing funds is substantial. To illustrate the growing size of urban county expenditures, in the four most populous counties in Texas--Bexar (San Antonio), Dallas (Dallas), Harris (Houston) and Tarrant (Fort Worth) - fiscal year 1976 general expenditures amounted to $68,418,000, $122,373,000, $224,666,000 and $50,510,000 respectively.[4] Revenues from intergovernmental sources during 1976, part of which are distributed according to decisions made by commissioners' court, amounted to $13,963,000, $22,294,000, $208,459,000 and $11,286,000 in Bexar, Dallas, Harris and Tarrant Counties respectively.[5] County government is no small financial operation. The county judge can also be a very influential leader in coalition politics within a particular county. In sum, the person elected to this office is a visible figure who can greatly influence the direction of county government, politics and business.

Figure 5-1 demonstrates that 95.5% of all county judges from 1968-1978 have been Anglo males, while 2.9% have been elected to the position of county judge during the period under investigation. Anglo female representation accounts for 1.6% of the total positions available during this period. These statistics confirm Anglo male dominance of this powerful local office during the ten year period.

FIGURE 5-1
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, 1968-78



*Less than 1%

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

The regional analyses (Figures B5-1-6, Appendix B) inform us that only two regions--South Texas and West Texas--have elected Mexican Americans. No trend demonstrating an increase in the election of minorities and females appears evident in the data. As one might expect, since 1972, South Texas, the region with the highest percentage Spanish surname population, has produced the lion's share of Mexican Americans elected to the position of county judge.

County Commissioners

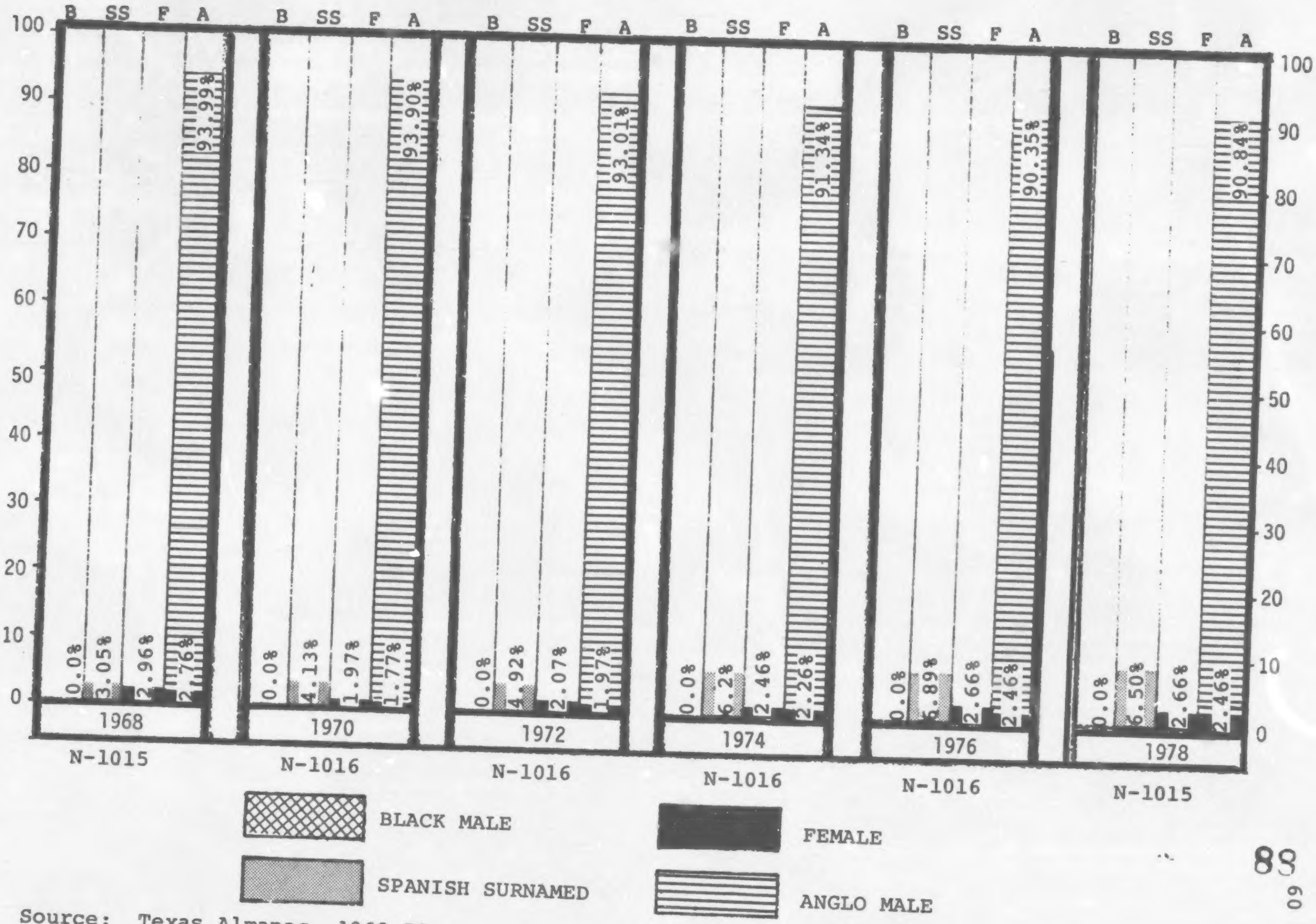
The Texas Constitution--Article V, Section 18--provides for four elected positions to county commissioner; these four officials, along with the county judge, form the commissioners' court. Like the judge, the county commissioners serve a four year term of office. It is important to note that the Texas Constitution provides that the four commissioners shall be elected from single member residency districts. Thus, since 1876, commissioners have represented a particular geographic area of a county.

Three historical factors have influenced the configurations of county commissioner precinct boundaries: (1) Consideration of road building and road maintenance (an important county function) influenced the earlier versions of these boundaries and (2) later, in some counties, rapid population growth has influenced commissioner precinct lines; (3) some counties have been racially gerrymandered, resulting in over or under-representation of minority citizens (the boundaries are established by the court itself).[6]

This body exercises legislative control over the county budget, tax rate-setting authority, discretion in the kind and distributional patterns of federal funds, the application for and acceptance of state programs and funds; and, the commissioners' court oversees the conduct of elections in the county.[7] These are formidable powers indeed.

Among these county offices, then, we expect to find a higher rate of Mexican American and black representation due to the fact that constitutionally these offices are single member districts. Figure 5-2 suggests the same pattern of Anglo male dominance in the county commissioners' positions during the period 1968-1978. Ninety-two point two percent of these offices were held by Anglo males; Mexican Americans occupied 5.3% of these positions, while blacks held less than 1.0%. Female representation on this important local body fared little better (2.4% during the 1968-1978 period). Regional analyses contained in Figures B5-7-12 (see Appendix B) reveal that only the South Texas region (24.4%) and the West Texas region (6.1%) exceed one percent in Mexican American representation by region. Given the Spanish surname population concentration in these regions, these percentages of Mexican American commissioners are suprisingly low. Anglo female

FIGURE 5-2
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONERS, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

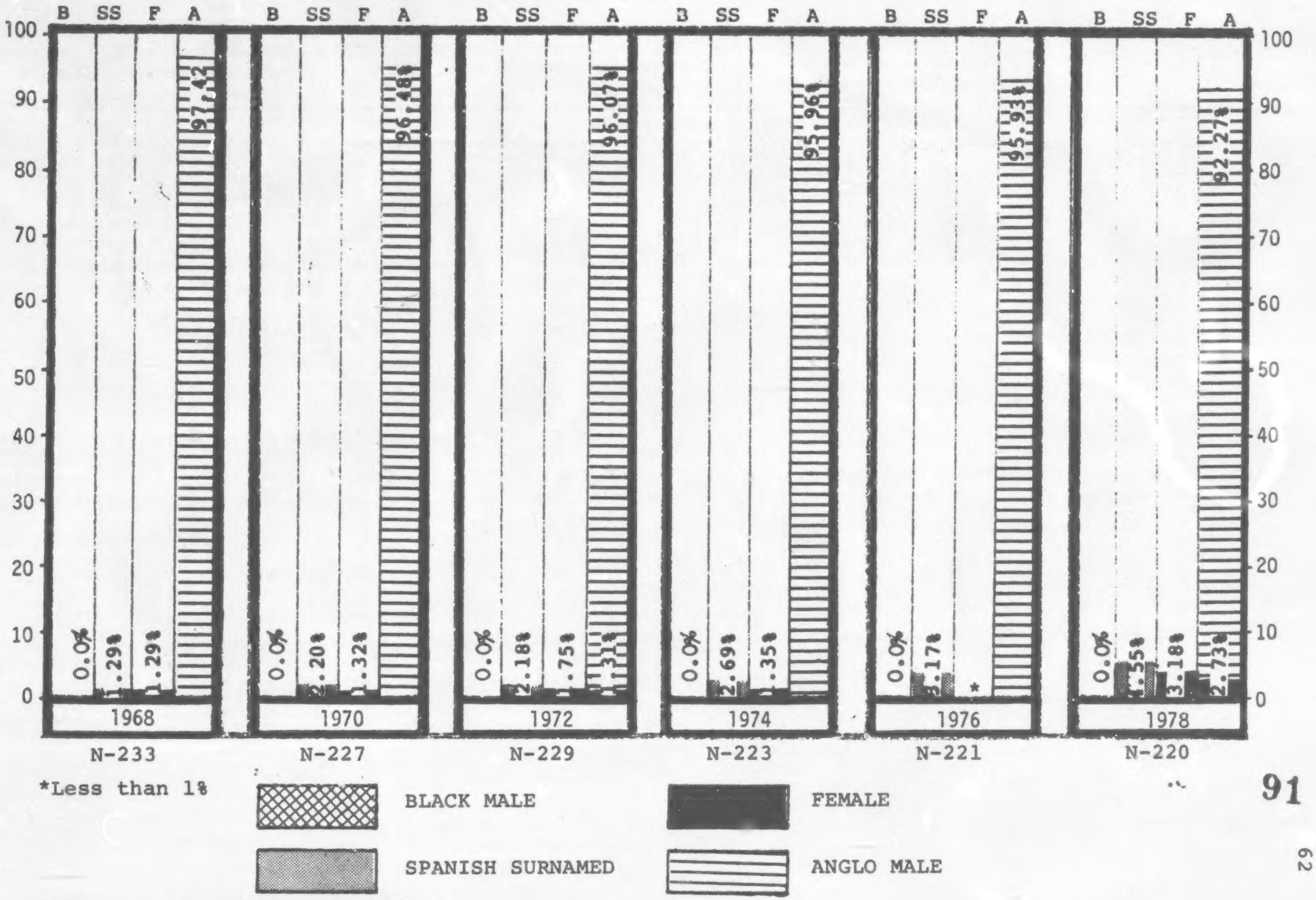
representation is low (never over 7.0%) for all of the regions, with the West Texas region showing the highest female representation.

County Attorney

Article V, section 21 of the Texas Constitution provides for the election of the county attorney countywide for a four year term of office. This constitutional article authorizes this key official in the local judicial system to ". . . represent the State in all cases in the District and inferior courts in their respective counties . . . ." In many larger urban counties, the county attorney's duties are assumed by the office of the District Attorney. As in all matters of law, there is a wide discretion which can be exercised in various stages in the criminal justice process. For example, the decision of whether to forcefully prosecute or to dismiss a case is within the discretion of the county or the district attorney. Hence, the latitude of choice available to the individual holding this office is of great importance to justice for minority and non-minority citizens alike.

Figure 5-3 reveals that 95.7% of the county attorneys holding office during 1968-78 were Anglo males, while 1.9% were Anglo females. There were no blacks elected to this powerful

FIGURE 5-3
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, 1968-78.



*Less than 1%

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

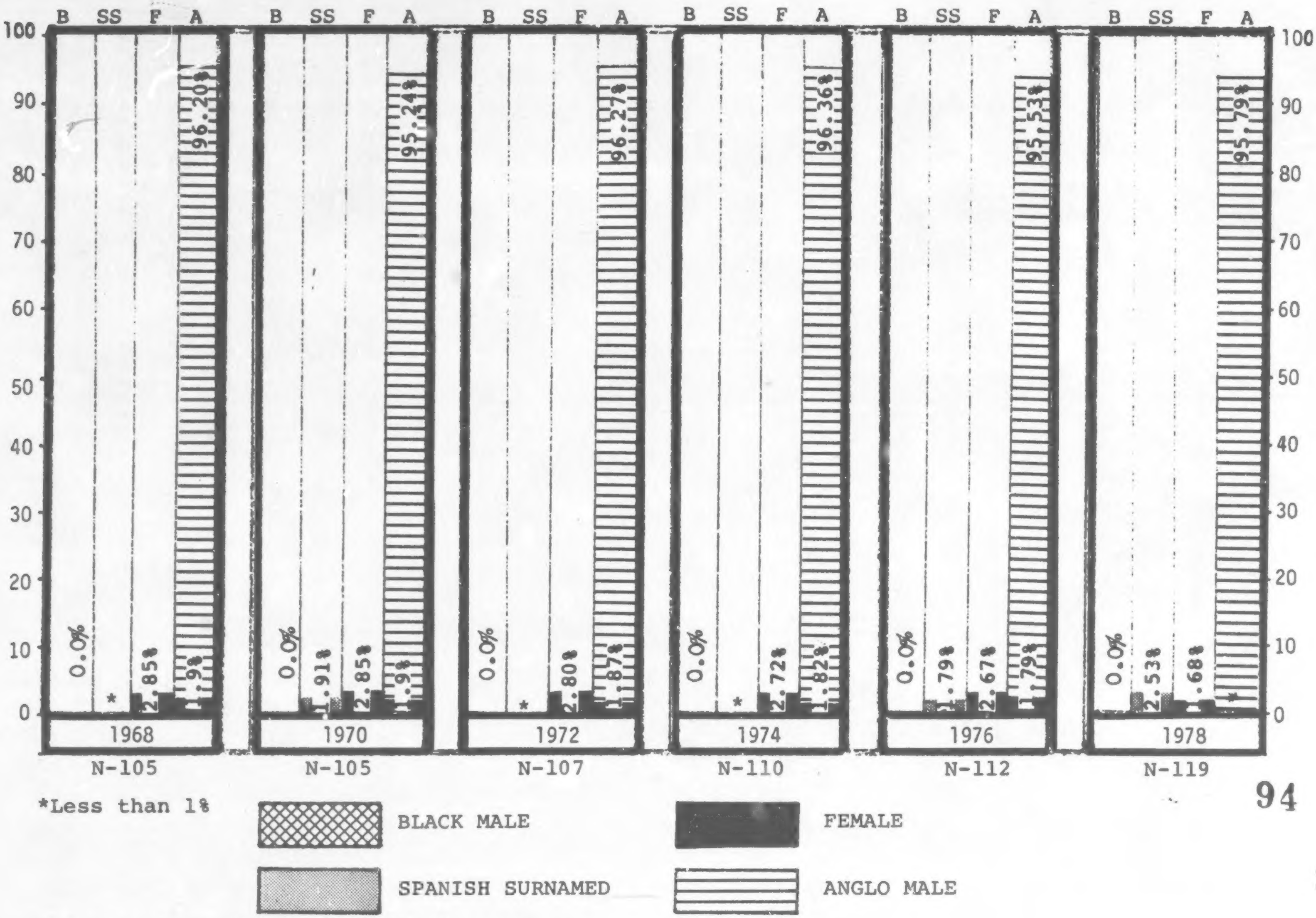
local position during the period under investigation. Mexican Americans accounted for 3.1% of the total positions available during 1968-78 (2.7% were Spanish surname males, while 0.4% were females). The total percentage of females holding this office for the ten year period was 1.6%. Certainly these statistics demonstrate an Anglo male dominance of this position.

The regional analyses (see Figure B5-13-18, Appendix B) reflect that Spanish surname persons were elected to this office in percentages exceeding fifteen percent in only one region--South Texas (during 1968-78, 14.5% elected in this region were Spanish surname males and 2.9% were females). The West Texas region accounted for five (1.9%) Spanish surnamed county attorneys during 1968-78. Three of the regions elected no minority persons during this period (Panhandle, Central and East Texas regions).

District Attorney

The constitutional description of this office is found in the section above. These office holders too are elected to a four year term. Again, the importance of this judicial official to the local criminal justice process should be recognized. Figure 5-4 demonstrates that 95.9% of the the District Attorneys serving during the years 1968-78 were Anglo males, while 1.7% were Anglo females. The total Anglo representation in this

FIGURE 5-4
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, 1968-78.



*Less than 1%

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

office is 97.6% for the period. Again, no blacks served in this position from 1968-1978. Spanish surname persons holding this office accounted for 2.43% (1.5% were male, 0.9% were female). Total female representation was 2.58%. There is no appreciable increase in Spanish surname representatives serving in this office during this period of time.

Regional analyses reveals that only 16 Spanish surname district attorneys have been elected (see Figures B5 19-24, Appendix B) from all of the regions during the period under investigation (total number of positions equals 658). Fourteen of these individuals were elected in the South Texas region; six of the sixteen were female.

County Clerk

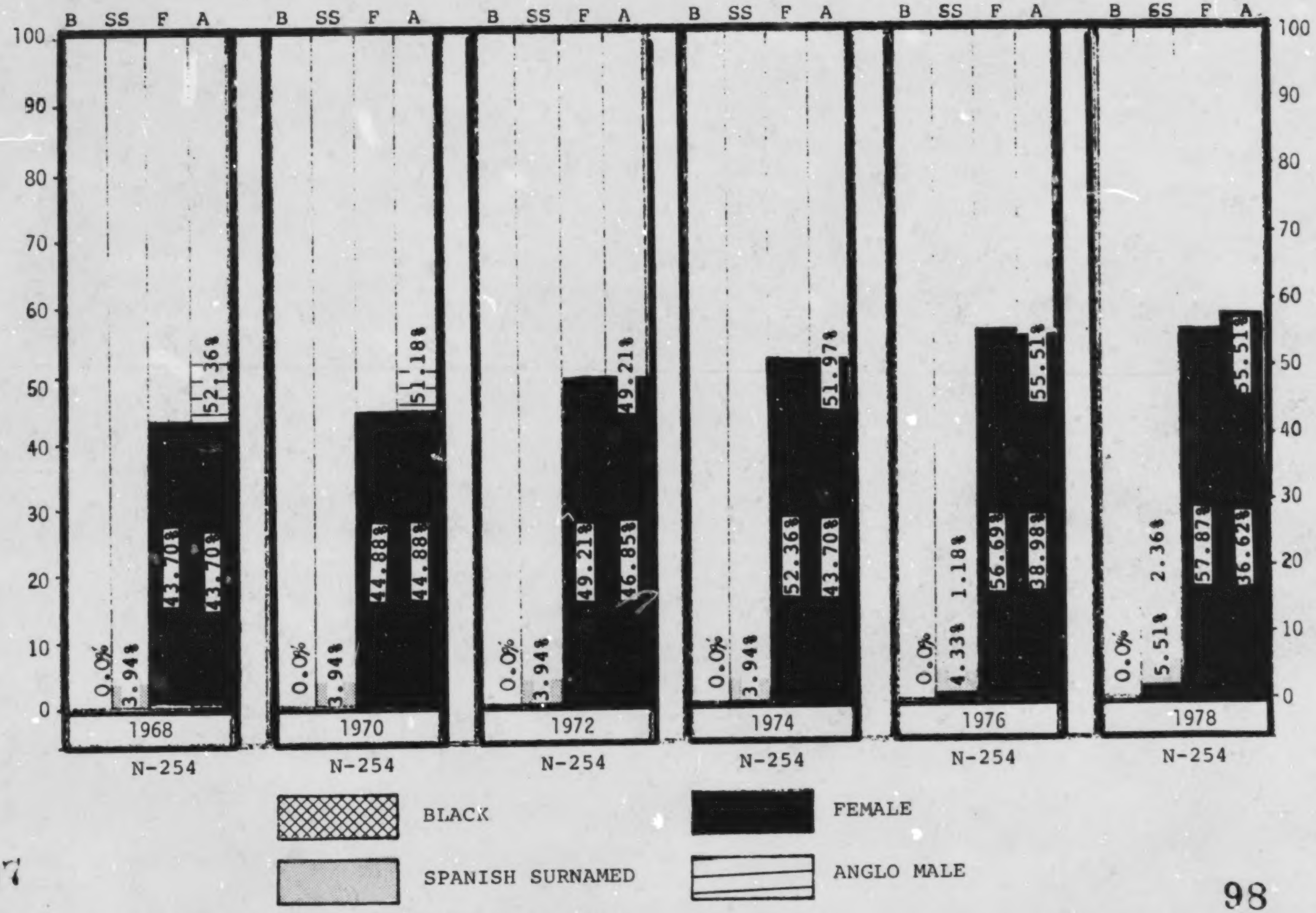
Article V, Section 20, as amended, of the Texas Constitution provides that every county shall elect a county clerk (there is an exception in those counties with less than 20,000 population--wherein the offices of district and county clerk may be conjoined in a single office) for a four year term of office. Legislative statute charges this office with recording vital statistics, deeds and various other documents. The clerk also serves on the county election board.[8] Tradition in Texas suggests that this record-keeper's office may be held by a female. Whether this tradition accrues to the record keeping function of the office or to some other inherent characteristic is unknown. The statistics demonstrate that Anglo females are acceptable to the Texas County electorates for this position.

Fifty point one percent of the county clerks' positions from 1968-1978 have been held by Anglo females (see Figure 5-5). Anglo males occupied 44.9% of the positions during the period 1968-1978, while Mexican American males held 4.3% and Mexican American females occupied less than 1.0% of these countywide offices. Anglo females and Mexican American males have increased their representation modestly during the decade of the 1970's. Significantly, no blacks have been elected to this local office during the period examined. The Central, West and Panhandle regions all reflect over fifty percent female representation for the period 1968-78 (see Appendix B, Figures B5-25-30).

District Clerk

In those counties with populations less than 8,000, the Texas Constitution provides that the offices of district and county clerks may be conjoined in a single office (Article V, section 20). Further, the legislature has provided that these officeholders act as clerks in those counties which are not sites of district courts. This official also has the important

FIGURE 5-5.
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

functions of keeping the docket, filing the records of ongoing cases and filing completed court records.

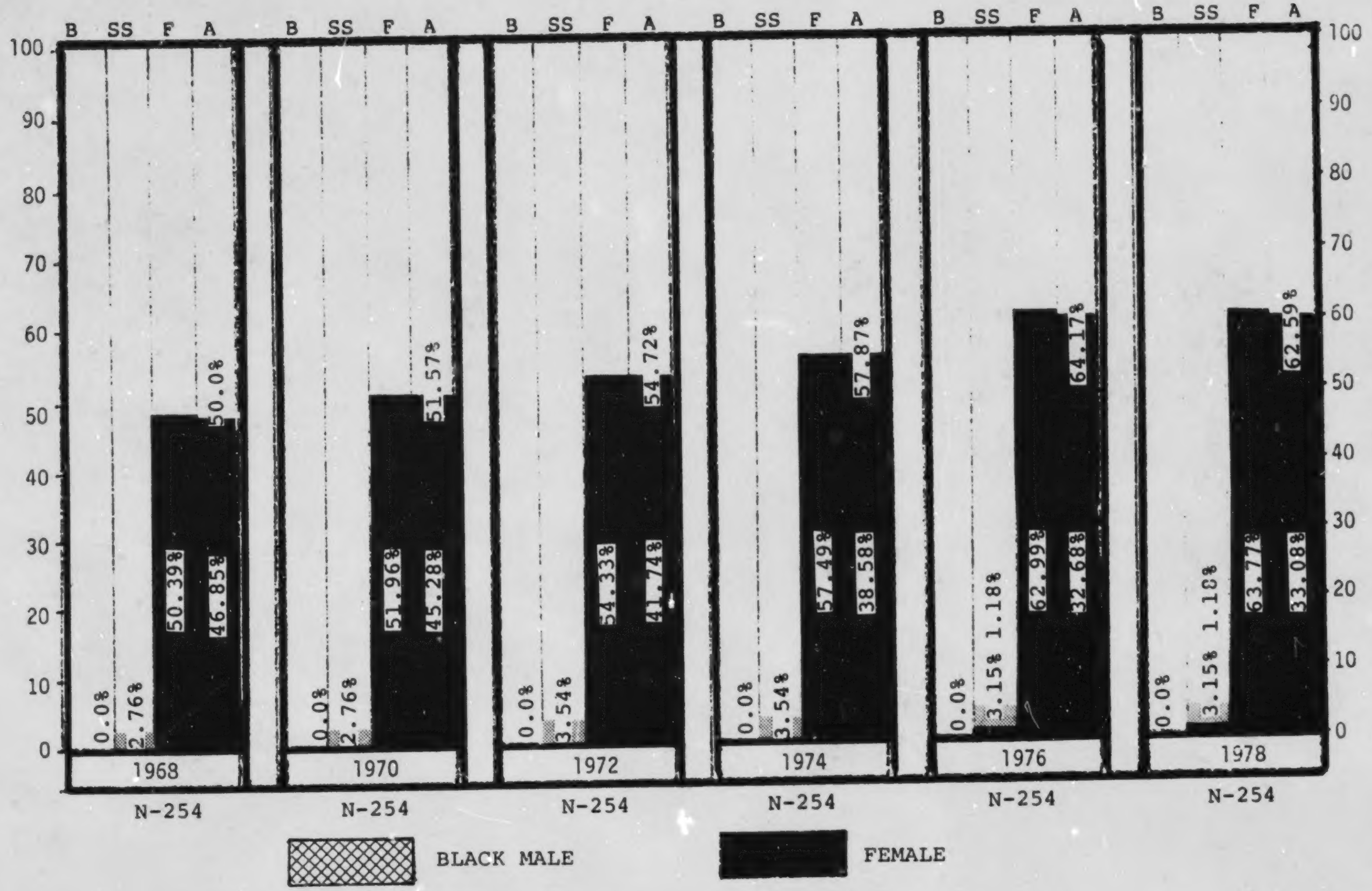
Like the representational pattern in the County Clerk's office above, 56.5% of the district clerks were Anglo females, while 39.7% were Anglo males. Only 3.15% of the district clerks elected to office from 1968-78 were Mexican American males, while less than one percent were Mexican American females (see Figure 5-6). No blacks have been elected to this position during the period under investigation.

The regional analyses revealed that all of the Mexican American representatives were elected in South Texas, while the Panhandle region yielded a very high percentage of Anglo women elected to this office (Figures B5-31-36, Appendix B). The trend of electing Mexican Americans and women to this office did not increase during the ten year period.

County Tax Assessor-Collector

The Texas Constitution (Article VIII, Section 14 as amended) mandates the county-wide election to a four year term of a very important but often overlooked, county official--the tax assessor-collector. According to the constitutional language, this officer"... shall perform all the duties with respect to assessing property for the purpose of taxation and of collecting taxes. . . ." This official also is charged with the important and sometimes controversial task of voter registration.[9]

FIGURE 5-6
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

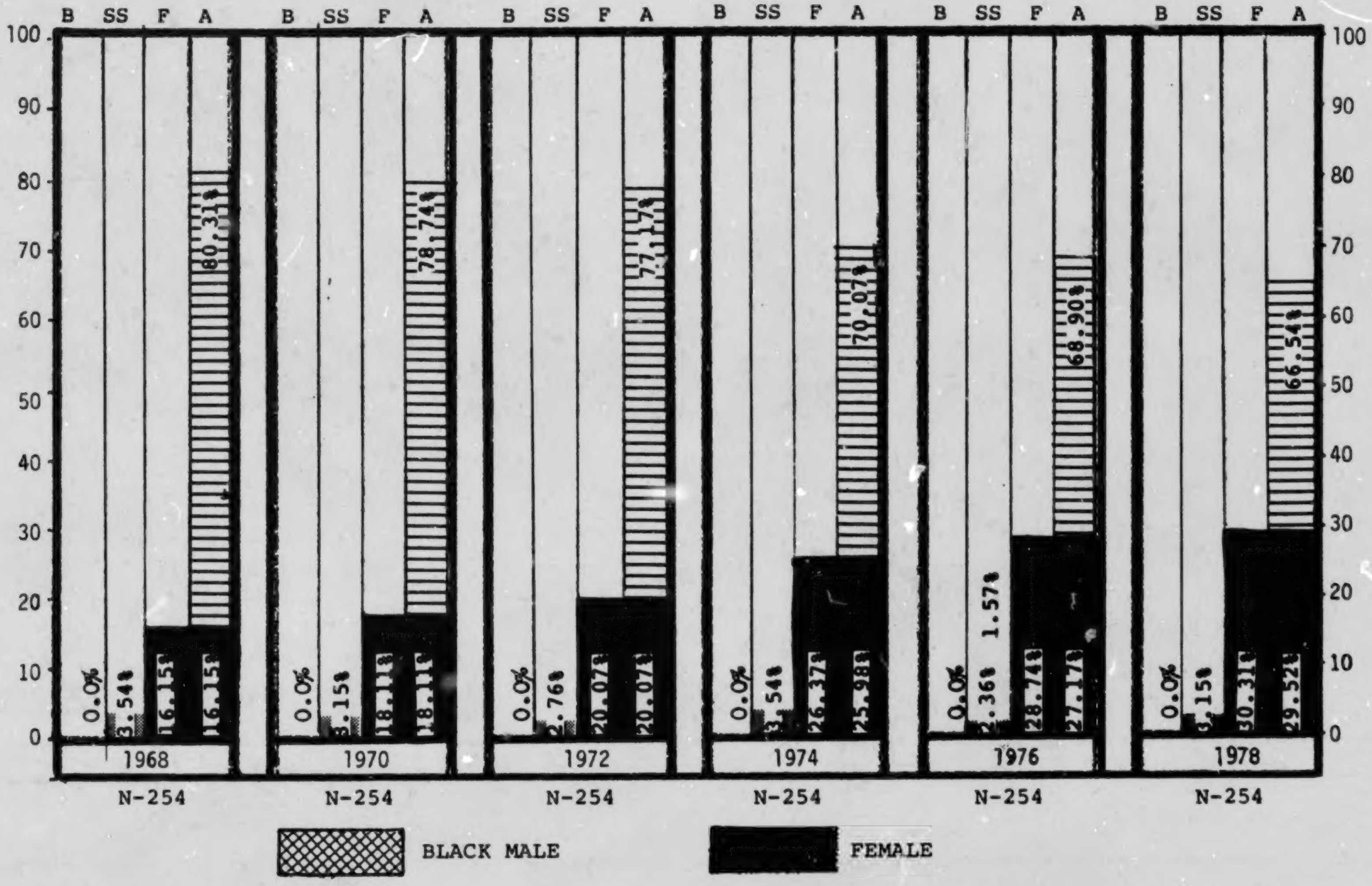
The analyses of this elected position revealed that 73.6% of those holding this position from 1968-78 were Anglo males, while 22.8% were Anglo females. There were no blacks elected to this county-wide positions. Mexican American males constituted 3.1% of those elected to the county tax-assessor collector's office, while Mexican American females composed less than 1.0% (see Figure 5-7). The entire percentage of Mexican Americans elected to this office were found in the South and West Texas regions (with the overwhelming percentage (98.0%) deriving from South Texas, Figures B5-37-42, Appendix B).

County Treasurer

The county treasurer--elected on a county-wide basis--is the custodian for county monies and is authorized to disperse county funds; the county treasurer is also overseer of securities deposited in banks and keeps records of expenditures and receipts. (Texas Constitution, Article XVI, Section 44).

Sixty-three point seven percent of the county treasurers were Anglo female, while 32.5% were Anglo male. Again, there were no blacks elected to this office during the period 1968-78. The total percentage of Mexican American males elected to this position was 3.4%, while Mexican American females accounted for

FIGURE 5-7
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, 1968-78



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

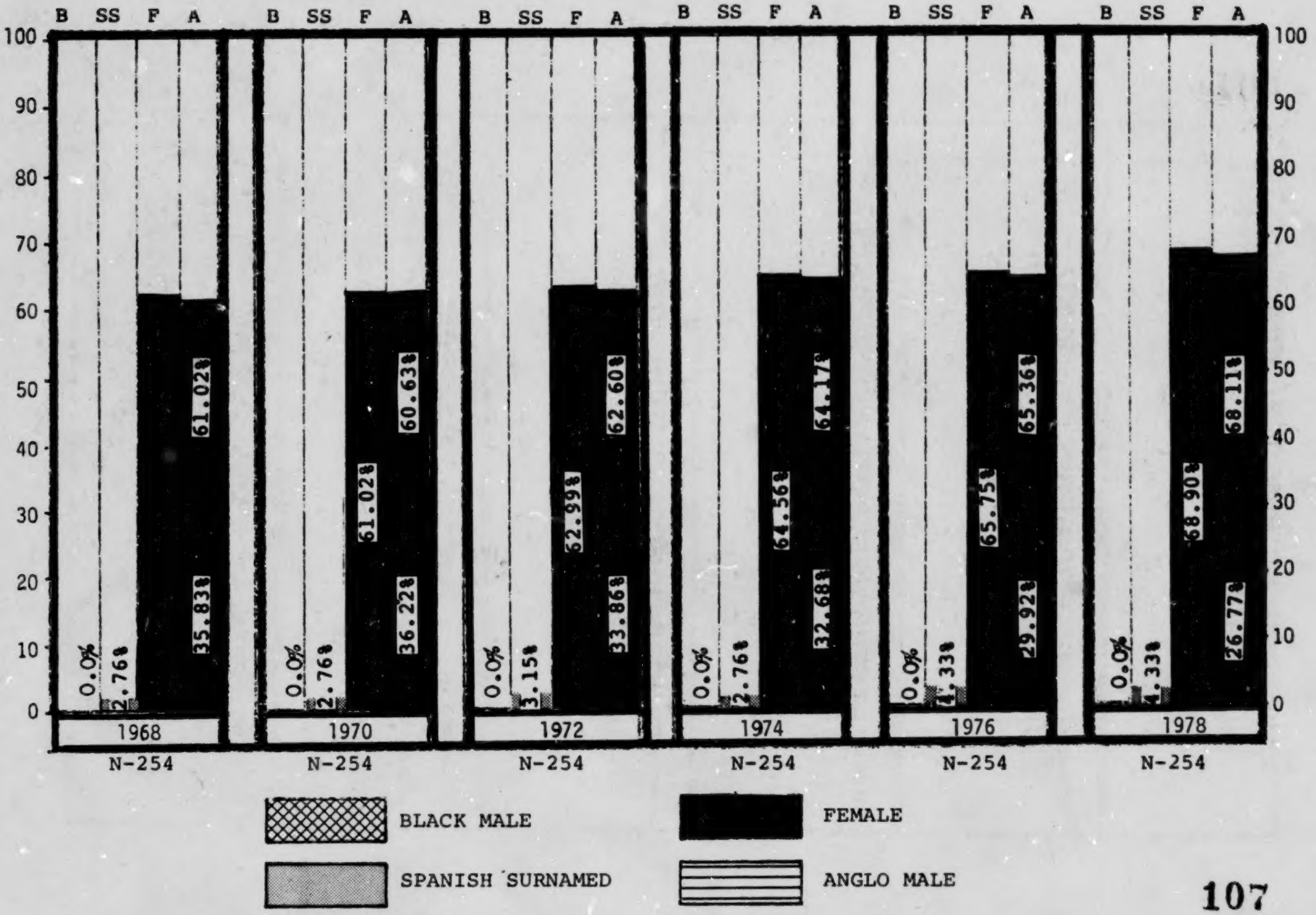
less than one percent (see Figure 5-8). Figures B5-43-48, Appendix B again demonstrate that the most populous Mexican American region--South Texas--accounts for nearly all of the Mexican Americans elected to this county position. No immediate explanation is apparent for the higher percentage of females elected to this less visible and prestigious county office.

County Sheriff

The sheriff is the primary law enforcement officer at the county level; this official takes on a special importance in rural counties, where the sheriff is the only law enforcement officer available. Elected to a four year county-wide term (Article 5, Section 23, Texas Constitution), the sheriff is considered as an important political figure, in addition to law enforcement functions. The sheriff also operates the jail and in rural counties (less than 10,000 population), the sheriff collects the taxes.[10] Sheriffs are traditionally vested with the authority to deputize any law enforcement officer or citizen to aid him with his peace keeping duties.

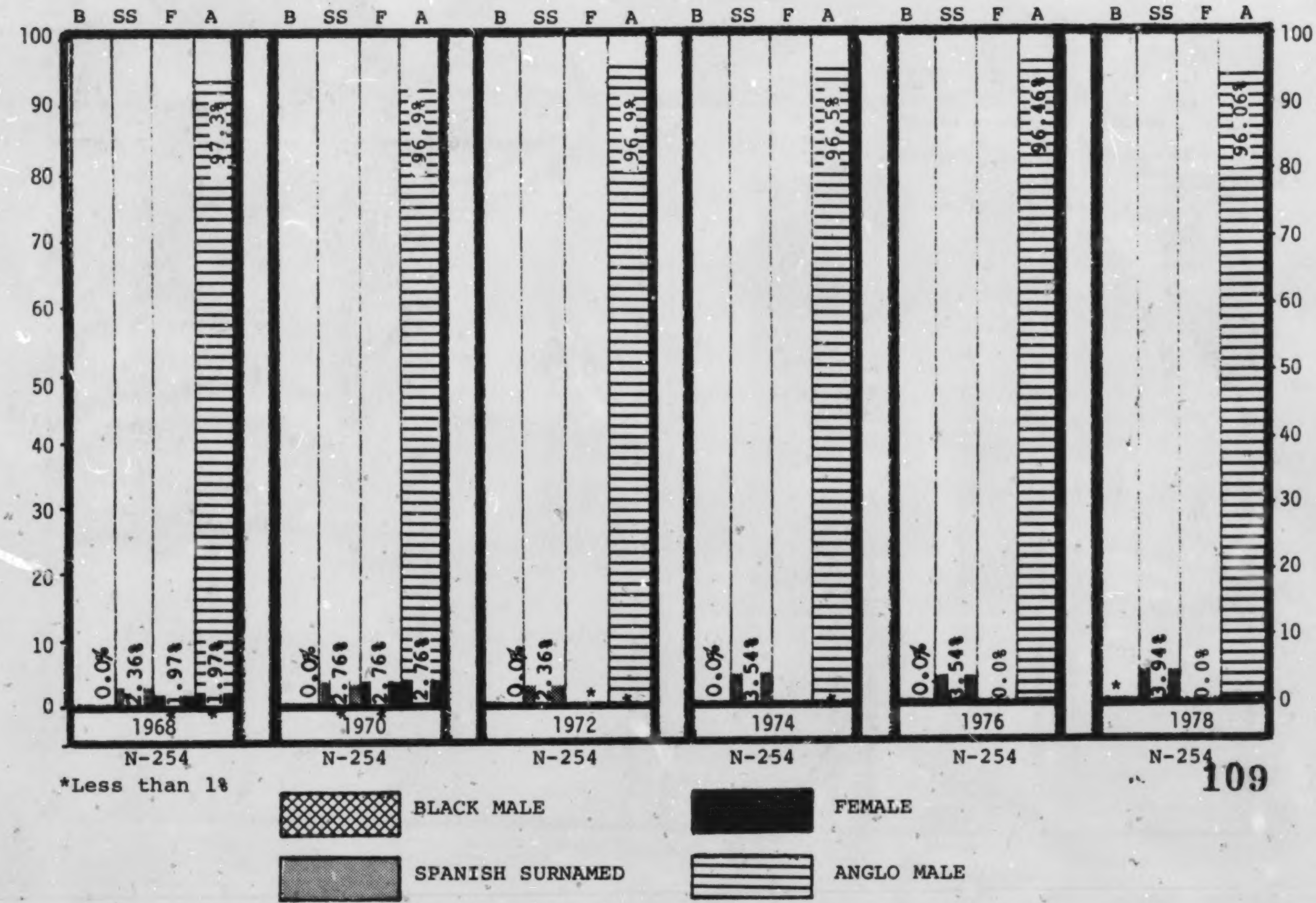
The analysis of representation in this key local office demonstrates that this office is overwhelmingly occupied by Angle males (96.6%) . As Figure 5-9 reveals, there has been virtually no change in this pattern for the ten year period

FIGURE 5-8
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE 5-9
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, 1968-78.



*Less than 1%

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

1968-78. Mexican American males have occupied 3.1% of the positions during 1968-78, while there has been one black male sheriff (first elected in 1976) for the same time period. Three Anglo females have been elected to this position during the ten year period--two from East Texas Counties (Hopkins, 1968 and Burleson, 1970) and one was elected from a Panhandle County (Cochran, 1970 and 1972). This constitutes less than one-half of one percent of the total number of positions to which individuals could have been elected during 1968-78.

Three regions (the East, Central and the Panhandle) have no minority persons elected to this office during the 1968-78 period (see figures B5-49-54, Appendix B). The North Texas region (Stephens County) provided the only black elected to this office, while South Texas provided 93.5% of the total Mexican American representatives to this office.

District Judges

Article 5, Section 8 as amended of the Texas Constitution sets out the jurisdiction of District Court judges in Texas:

> The District Court shall have original jurisdiction in all criminal cases of the grade of felony; in all suits in behalf of the State to recover penalties, forfeitures and escheats; of all cases of divorce; of all misdemeanors involving official misconduct; of all suits to recover damages for slander or defamation of character; of all suits for trial of title to land and for the enforcement of liens thereon; of all suits for the trial of the right of property levied upon by virtue of any writ of execution, sequestration or attachment when the property levied shall be equal to or exceed in value five hundred dollars;

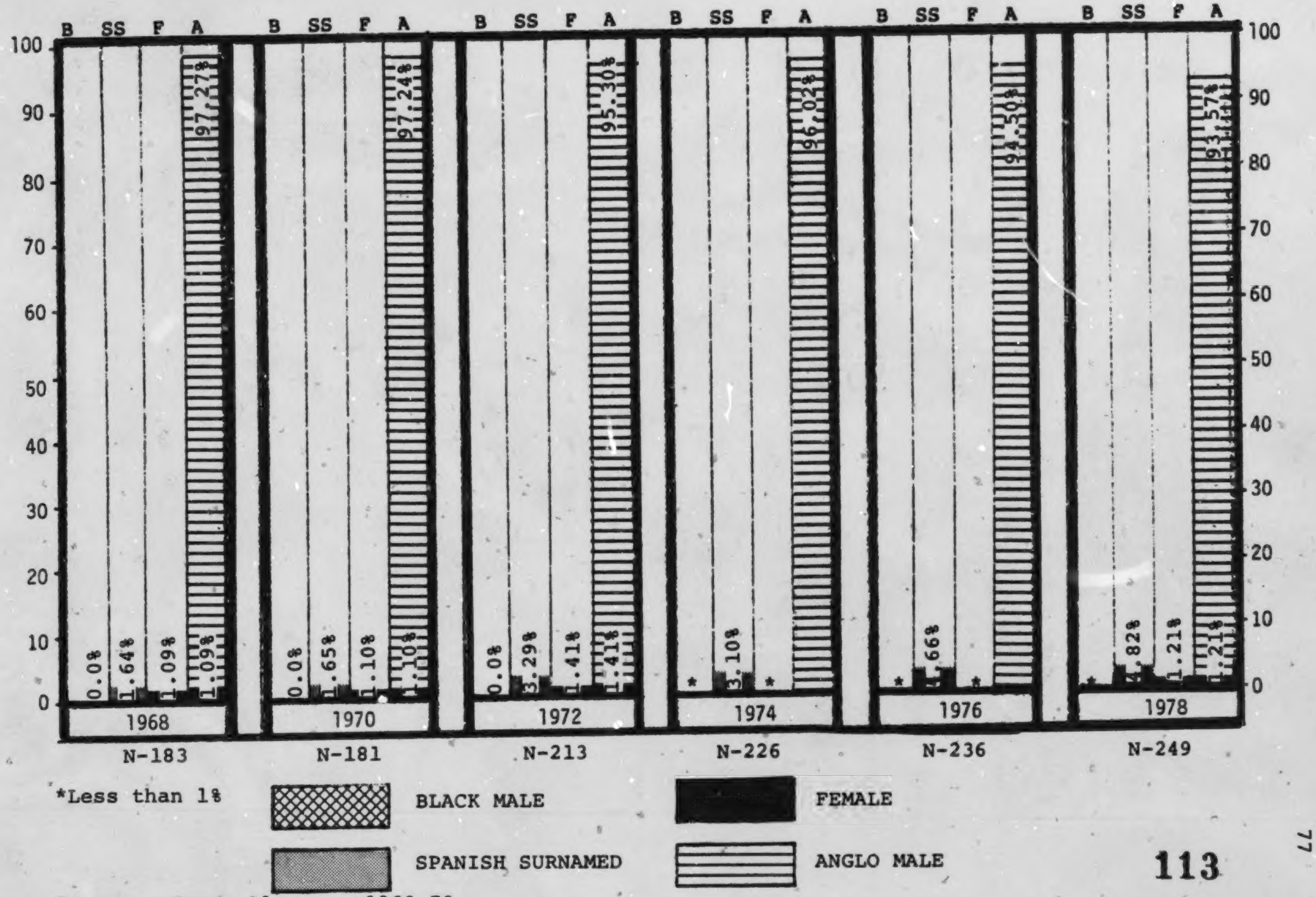
> of all suits, complaints or pleas whatever, without regard to any distiction between law and equity, when the matter in controversy shall be valued at or amount to five hundred dollars exclusive of interest; of contested elections and said court and judges thereof, shall have power to issue writs of habeas corpus, mandamus, injunction, and certiorari, and all writs necessary to enforce their jurisdiction.

These key judicial officials are elected for a four year term in office; their qualifications require that they be a practicing attorney or judge of a court for four years and a resident of the district from which he/she is elected for a two-year period prior to election as a district judge.[11]

Figure 5-10 illustrates that 95.6% of those holding this judicial office have been Anglo males, while 3.3% have been Mexican American males. Three blacks have served in this position from 1968-78 (less than 0.5% of the total positions), but only one black person has been elected to a state district judgeship and he had been appointed to office prior to his election. Also, the political culture of Texas appears to promote an almost all male set of office-holders--eleven females (0.9%) have been elected to district judgeships during the 1968-78 period. No minority females have attained this extremely powerful judicial post.

Figures B5-55-60, Appendix B, reveal that no females have been elected in the Central and West Texas regions, while no

FIGURE 5-10
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

minority persons have been elected in the Central, Panhandle and North Texas regions. East Texas, as might be expected, produced the three blacks who have served in the position. Eighty-one point three percent of the Mexican Americans were elected in the South Texas region.

The results of the November, 1978 elections for select county and district offices provide an up-to-date insight into the representational configurations of these offices analyzed for the period 1968-78. The election results for the office of county judge can be seen in Table 5-1.

Table 5-1. MINORITY AND FEMALE REPRESENTATION IN
THE OFFICE OF COUNTY JUDGE, NOVEMBER, 1978 ELECTION RESULTS

MEXICAN AMERICAN		BLACK		ANGLO		FEMALE
Male	Female	Male	Female	Male	Female	
11 (4.7%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	202 (87.39%)	11 (4.7%)	11 (4.7%)

Source: Texas State Directory, 22nd ed., 1979. Rep. Paul Ragsdale (D-Dallas) aided in the identification of black office holders.

Anglo males were elected to over four out of five of the county judgeships in 1978, which did little to change the overall representational dominance of this group. Mexican American males were elected to eleven county judgeships in 1978, which comprises 4.7% of the total. Neither Mexican American females nor black persons are represented among Texas' county judges. Anglo females were elected to eleven judgeships (4.7%) in 1978, a gain of some 2.7% over the mean percent for this group during the 1978-78 period. These percentages suggest that there has been little change in the representation of minorities and females in this important Texas office.

The election results for those elected to the positions of county commissioner in November, 1978 show slight changes in the number of Spanish surname males and Anglo females elected to office in November, 1978. Figure 5-2 above illustrates that over nine out of ten county commissioner positions during 1968-78 were occupied by Anglo males, while Mexican Americans occupied 5.3% and blacks less than 1.0%. The results of the November, 1978 elections in Texas counties reveal that Anglo males were elected to 88.7 % of these positions, Anglo females to 2.4 %, Mexican American males to 7.9%, and black males to 0.7%.[7] No black female was elected to this position in 1978 (see Table 5-2).

Table 5-2. MINORITY AND FEMALE REPRESENTATION IN THE OFFICE OF COUNTY COMMISSIONER, NOVEMBER, 1978 ELECTION RESULTS.

MEXICAN AMERICAN		BLACK		ANGLO		FEMALE
Male	Female	Male	Female	Male	Female	
82 (7.9%)	2 (0.2%)	7 (0.7%)	0 (0.0%)	910 (88.7%)	25 (2.4%)	27 (2.6%)

Source: Texas State Directory, 22nd ed., 1979. Rep. Paul Ragsdale (D-Dallas) aided in the identification of black office holders.

Thus, four out of five county commissioner positions were occupied by Anglo males, while Anglo females showed only a slight increase over their representation during 1968-78. Mexican American males increased their representation by 2.6 % over the mean of 5.3% during the 1968-73 period. Black representation demonstrated a slight increase (n=7) (0.7 %) over the 0.5 mean percent for 1968-78.

Nineteen seventy-eight election results for the office of county attorney (Table 5-3 below) again reflect the familiar statistic that over nine out of ten (93.2%) of the county attorneys are Anglo males. The representational group of Mexican American males elected to office increased one percent in 1978 over the mean percent during the period 1968-78. Yet, this group still held only 4.2% of the total positions. Anglo females comprise 2.1% of the total positions, a slight increase of less than one percent over the ten year mean percent. No black persons were elected to this office in 1978 in Texas.

Table 5-3. MINORITY AND FEMALE REPRESENTATION IN THE OFFICE OF COUNTY ATTORNEY, ELECTION RESULTS, 1978.

MEXICAN AMERICAN		BLACK		ANGLO		FEMALE
Male	Female	Male	Female	Male	Female	
10 (4.2%)	1 (0.4%)	0 (0.0%)	0 (0.0%)	220 (93.2%)	5 (2.1%)	6 (2.6%)

Source: Texas State Directory, 22nd ed., 1979. Rep. Paul Ragsdale (D-Dallas) aided in the identification of black office holders.

Anglo male dominance is firmly established by tradition in the elected position of county sheriff. Ninety-five point six percent of those elected to be county sheriff in 1978 were Anglo male, while four percent were Mexican American male. One black sheriff was returned to office.[12] These figures show virtually no variation from the mean percent of representation for these groups, 1968-78.

The 1978 election results for the district attorney post reveal that only two (2.9%) of the sixty-eight elected attorneys were Spanish surnamed males--no other minority group members were identified among these officials. No female person was identified either.[13]

One of the most underrepresented offices for minorities and females, 1968-78, was the elected position of district judge. The mean percent of Anglo male representation, 1968-78, was ninety-five point six percent, while three point three percent were Mexican American males. A total of three black males have served in this position in the past. According to 1978 election results, Anglo males still hold 92.1% of this key judicial post, while Anglo females hold 1.9% of these positions. Mexican American males occupy 5.3% of these judicial positions, while blacks serve in less than one percent (0.8%) of the district judgeships (see Table 5-4).[14]

Table 5-4. MINORITY AND FEMALE REPRESENTATION IN THE OFFICE OF STATE DISTRICT JUDGE, ELECTION RESULTS, 1978.

MEXICAN AMERICAN		BLACK		ANGLO		FEMALE
Male	Female	Male	Female	Male	Female	
14 (5.3%)	0 (0.0%)	2 (0.8%)	0 (0.0%)	244 (92.1%)	5 (1.9%)	5 (1.9%)

Source: Texas State Directory, 22nd ed., 1979. Rep. Paul Ragsdale (D-Dallas).

In conclusion, Anglo male dominance in the representational pattern of county and district offices in Texas exceeds ninety percent, and for certain offices exceeds ninety-five percent (the county clerk's and county treasurer's positions are exceptions to this pattern). But certainly these data indicate that the most visible and powerful offices are occupied--nine times out of ten--by Anglo males. Further, there are few appreciable gains to these offices by minority persons and females as reflected in the 1978 election results. The two most excluded groups, of course, are Mexican American and black females. In office after office, their number, over the ten year period, can be counted on the fingers of both hands (and many times, on the fingers of only one hand).

CHAPTER 5
FOOTNOTES

[1] Joint Center for Political Studies: Washington, D.C.

[2] Names with initials, then, were not tabulated with the total numbers (N) in any office unless the sex of the individual was identified through personal knowledge by individuals in counties and regions and/or by the investigators. However, several sources were consulted to determine the sex of an individual. For most offices, all or nearly all of the office holders were identified.

In the case of offices with staggered terms or in the case of vacancies or special elections, the total number of offices per election year were tabulated. Hence, changes in representational levels were reflected each two years. When only a portion of the seats of a given governmental body were up for election (for example, two county commissioner positions of a total of four), the representational proportions for the entire governmental body were reported for a particular year.

[3] Clifton McCleskey, et al. The Government and Politics of Texas, 6th ed. (Little, Brown and Company: Boston, Massachusetts, 1978), 283. The legal and functional descriptions of county offices were informed by this source.

[4] U.S. Department of Commerce, 1977 Census of Governments, Vol. 4, No. 3, Finances of County Governments, 1976-77 GC77 (4)-3 (Washington, D.C.: Government Printing Office, 1977), 269-282.

[5] Ibid., 66.

[6] See the redistricting case studies of Crockett and Waller Counties in Chapters 14 and 15 of this report. Also, several counties have sustained Section 5 objections under the 1975 Voting Rights Act on the grounds that commissioner precinct lines resulted in malapportionment and/or were racially gerrymandered; these include Uvalde and Frio Counties.

Of the seven black county commissioners elected in 1978, three were elected as a direct result of successful litigation challenging racially gerrymandered commissioner precinct lines. Another newly elected black county commissioner in Waller County was elected, in part, because of a Voting Rights Objection concerning commissioner precinct lines. Federal presence or federal law, then, helped to account for over one half of the black county commissioners elected in 1978.

CHAPTER 5. FOOTNOTES

[7] Clifton McCleskey, Allan Butcher, Daniel Farlow, and J. Pat Stephens, *The Government and Politics of Texas*, 6th ed. rev. (Boston, Massachusetts: Little, Brown and Company, 1978) 281-83.

[8] Clifton McCleskey, *et al.*, *op. cit.*, 56.

[9] Clifton McCleskey, *et al.*, *op. cit.*, 284.

[10] Texas Constitution, Act. 8, Sec. 16.

[11] Texas Constitution, Act. 5, Sec. 7.

[12] *Texas State Directory*, 22nd edition (1979).

[13] *Ibid*.

[14] The two black district judges reflected in the 1978 election results were not elected to their positions -- both were appointed and have not yet stood for election.

CHAPTER 6

ANALYSIS OF REPRESENTATION IN GENERAL LAW AND HOME RULE CITIES IN TEXAS

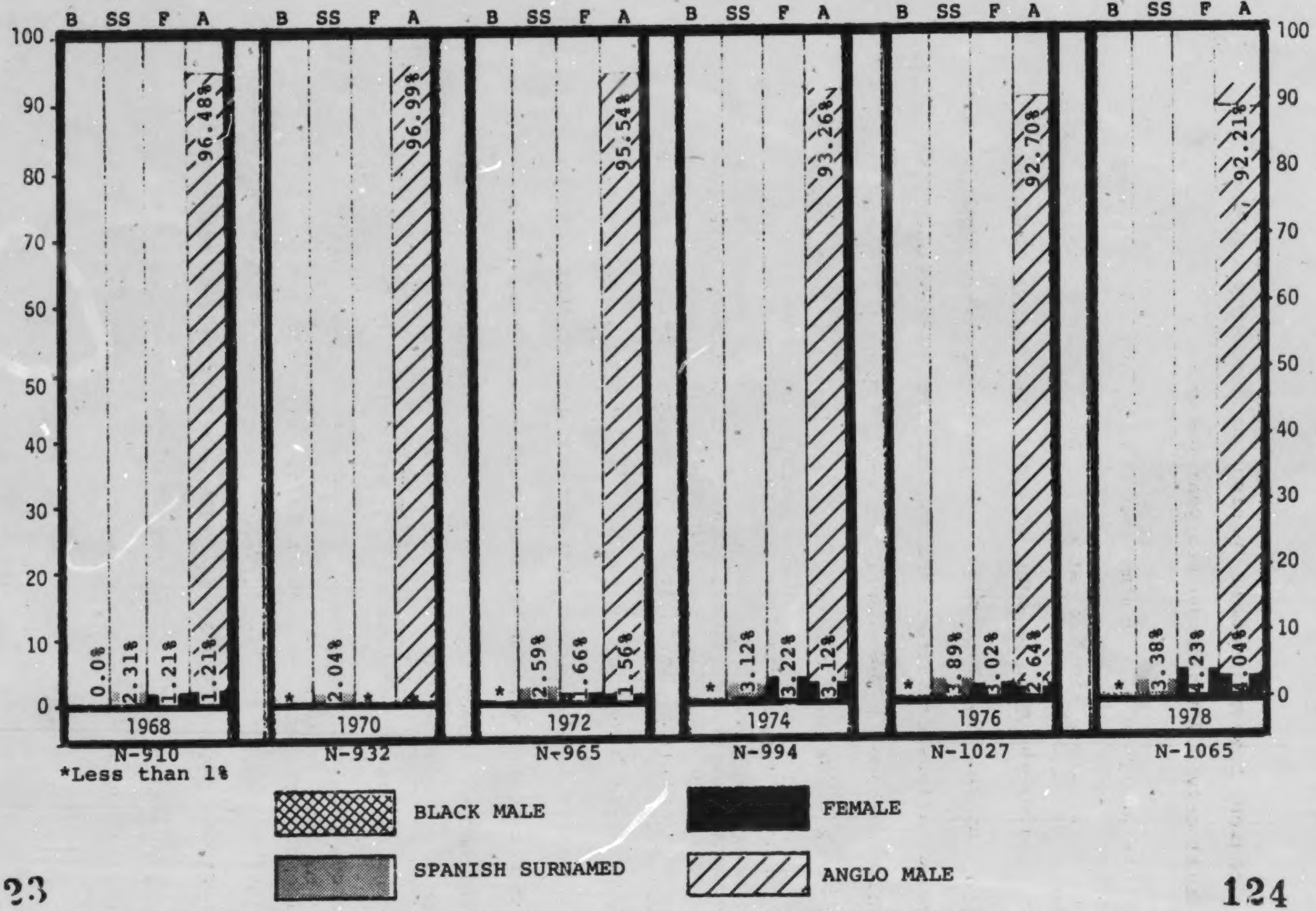
An analysis of Mexican American, black and female representation in Texas home rule and general law cities for a ten year period involved the analysis of over 50,000 elected positions, in addition to those of the appointed position of city manager or administrator.

Texas cities can be legally distinguished according to two basic arrangements: A 1912 amendment to the Texas Constitution established either general law cities or the opportunity for a jurisdiction to become a home rule city. If a city has over 5,000 population, the citizens may adopt a home rule charter of their preference.[1] As of January 15, 1977, the Texas Municipal League (TML) listed 214 home rule cities in Texas.[2] Further, the Municipal League's Directory of City Officials, 1978-79, lists some 1,079 incorporated cities in Texas (including the 214 home rule cities). The analysis of this section includes the Texas Municipal League's list of incorporated cities from 1968-1978. The yearly TML directories of city officials were used to identify the Spanish surname and female office holders for the 1968-78 period. Further, the National Rosters of Black Elected Officials, volumes 1-8 (1968-78) were used to identify black elected officials during these years.

Figure 6-1 demonstrates the paucity of Mexican American and black representation among elected mayors in Texas for the period 1968-78. A mean percent of 94.4% reflects the Anglo male domination for the period 1968-78 of this visible and symbolic local office. Spanish surname male representation is the next closest with a 3.1% mean percent for the ten year period. Spanish surname female and black male and female representation among the some 1,000 mayorality positions analyzed for each year, 1968-78 is less than one percent for a ten year period. The female representation percentage for this period is 2.4% The total minority representation mean percentage for the entire ten year period is a meagre 3.4%. The percentage of minority representation between 1976 and 1978 actually decreased for the position of mayor (4.7% in 1976 to 3.7% in 1978).

The regional analyses reflect that only in South, West and East Texas did the percentage of Mexican American or black representatives reach above one percent (Appendix C). Only in South Texas did Mexican American representation exceed six percent for any given year in this predominantly Mexican American population region. Spanish surname population in the office of mayor reached 3.9% in 1976, only to decrease to 3.4% in 1978. Female representation only exceeds five percent in Central and South Texas during 1976 and 1978 (see Figures C6-1 and C6-5, Appendix C). Minority female representation is virtually nonexistent in all regions except South Texas (in

FIGURE 6-1
MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, 1968-78.



*Less than 1%

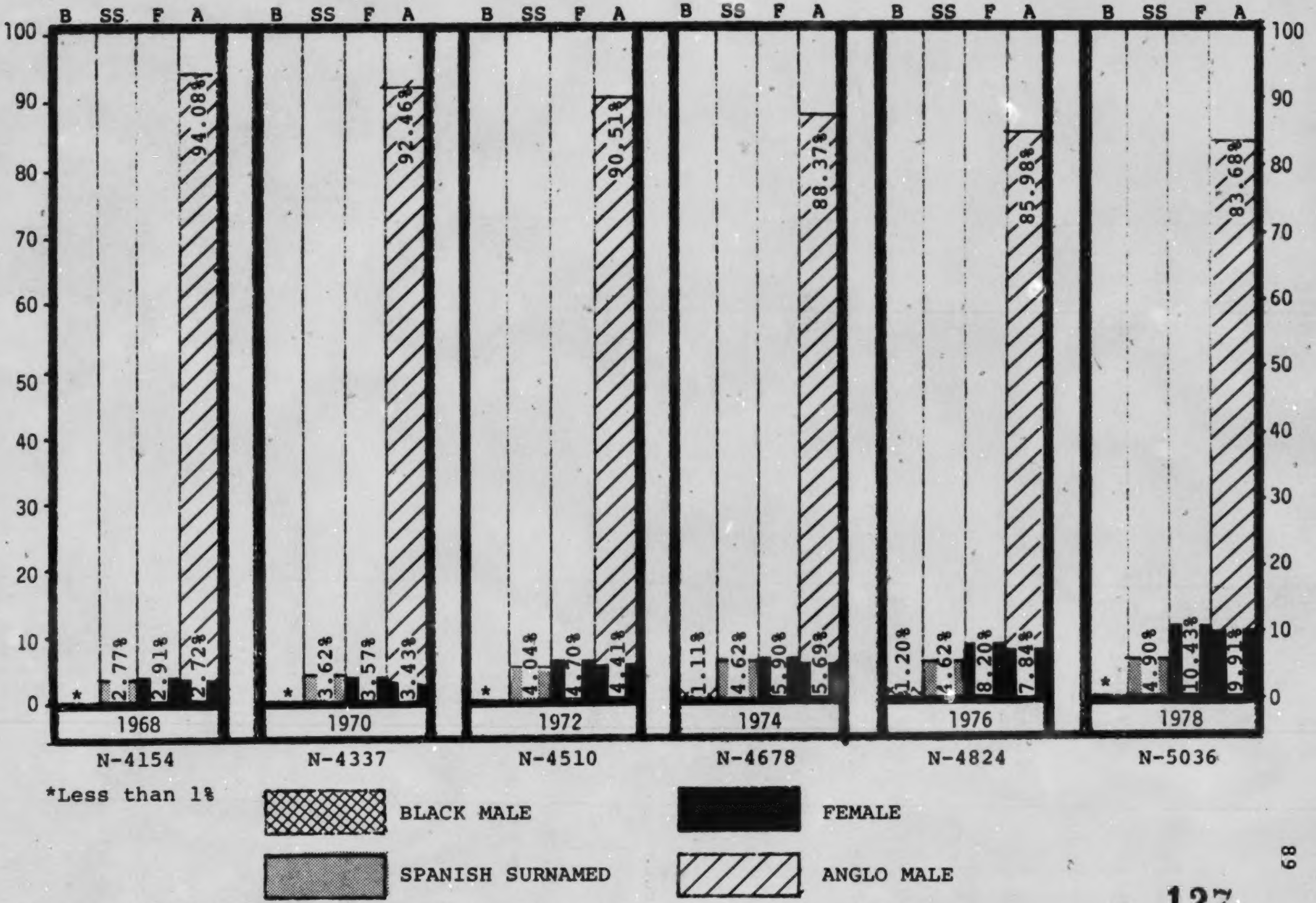
Source: Texas Municipal League's _Directory of City Officials_, 1968-78.
National Roster of Black Elected Officials, 1968-78.

this region, however, female Spanish surname representation is still only 0.75% for the ten year period).

The analysis of the some 25,000 city council positions for 1968-78 reveals a similar pattern of Anglo male dominance during this period. The mean percent of Anglo male representatives on city councils, 1968-78, is 89.1% (see Figure 6-2). Anglo female representatives constitute the next highest percentage, 5.6%, while Spanish surname males constitute 4.2%. Spanish surname females and black males and females constitute less than one percent of city council representatives during the period 1968-1978. Female representation constitutes 5.9% for this period. There is a noticeable increase in Anglo female representatives during the decade of the Seventies (from 2.9% in 1968 to 10.4% in 1978).

Figures C6-7 -12 (Appendix C) demonstrate that only in South Texas does minority representation for these local governmental bodies exceed 5.0% (in 1978, Spanish surname representatives constituted 31.7% of city council representation in this region; see Figure C6-11, Appendix C). In the East Texas region, black representatives do not exceed 2.0% of the total representative positions, 1968-78. Anglo female representation is increasing--especially during the last five years--in all of

FIGURE 6-2
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, 1968-78.



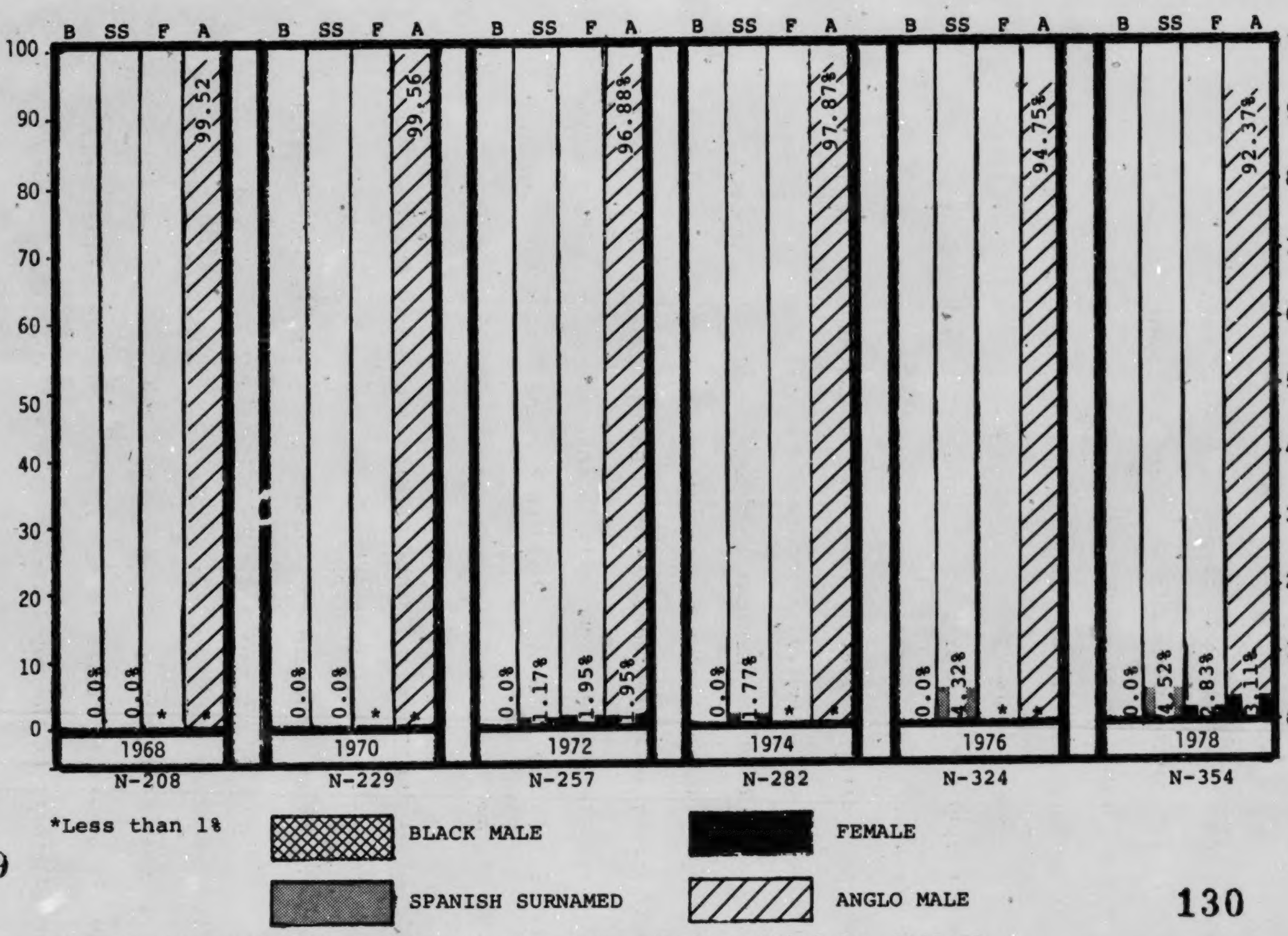
Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

the regions (see Figures C6-7-12, Appendix C). Female representation generally is highest in Central and North Texas (see Figures C6-7 and C6-9, Appendix C). The conclusion drawn from these data is that there has been only meager and fluctuating increases in Spanish surname and black representation within the regions--even in those regions which have significant concentrations of Mexican Americans and blacks.

Our analysis included another important city position--but not an elective one--the chief city administrator.[3] Many times administrative officials are more important to the daily decisions and services which affect citizens than are the elected officials who set general policy. Thus, the analysis of this particular category could impact greatly on the quality of representation and services received by both minority and non-minority populations alike.

Figure 6-3 contains an analysis of the position of city administrator for the period 1968-78. A remarkable statistic emerges: 97.8% of persons occupying this administrative category for a ten year period have been Anglo males. This statistic must be viewed with caution, however, because blacks could not be identified for this position--although there is a reasonable certainty given the statistics of representation in other offices, that blacks would not exceed one percent. One point zero seven percent of these admininistrators have been

FIGURE 6- 3
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.

Anglo females, while 2.2% have been Spanish surname males. The investigation revealed that there has been only one Spanish surname female in this administrative category during the ten year period. Another way of viewing these data is to recognize that certain cultural perspectives and linguistic capabilities have simply not been present (or present in very modest numbers) in the chief administrative positions of Texas cities during the past ten years. Certainly this absence has had some negative effects on the capacity to understand and to deliver services to concentrations of Mexican American and black citizens.[4]

The regional analyses (Figures C6-13-18, Appendix C) demonstrate a simple fact: Only in South Texas is there any Mexican American representation in the category of city administrator (see Figure 6-17). Spanish surname males have occupied 1.9% of the positions during the period 1968-78.

City Legal Structure and Minority Electoral Participation

Students of political behavior have long recognized that the legal structure of government affects the accessibility of different groups to the government and also affects the policy outcomes which occur.[5] Table 6-1 contains a summary of an up-to-date survey of electoral and charter structures for the 214 home rule cities in Texas. These cities contain well over one-half of the population in the state. Further, many

Table 6-1
ELECTORAL STRUCTURE: TEXAS' HOME RULE CITIES

ELECTION TYPE:

At-Large	179
Single-Member Districts	18
Mixed	13
Not reporting	4
Total:	214

NUMBERED PLACE OR POST SYSTEM:

Yes	156
No	54
Not reporting	4
Total:	214

MAJORITY REQUIREMENT:

Yes	124
No	86
Not reporting	4
Total:	214

contain significant minority population concentrations (see Figure 6-2 for these concentration as well as other electoral features). Thus, proceeding under the assumption that legal structure impacts representation and policy outcomes, it is important to note that the predominant election system employed in these cities is the at-large structure (n=179) (a voter may cast his/her ballot for as many elective positions as the jurisdiction is entitled under this arrangement). Additionally, thirteen more Texas cities have a "mixed" electoral arrangment (which includes both at-large positions and single member district residency districts). If voting occurs along racially polarized lines in at-large electoral systems, minority voting strength has been shown to be diluted or minimized in selecting the candidates who are the choice of Mexican American or black voters.[6]

The Supreme Court and scholars in the social sciences have both concluded that other attributes of the electoral system, such as the numbered place or numbered post requirement, used along with the at-large election structure, often results in Mexican American and black electoral losses.[7] Table 6-2 demonstrates that 156 home rule cities in Texas with at-large or "mixed" (a combination of at-large and single member district arrangements) structures employ the numbered place device. The numbered post arrangement can act as a legal constraint on minority voters thusly: In this arrangement, each voter casts one vote for a candidate in each place. There are two effects:

TABLE 6-2
CHARTER AND ELECTORAL STRUCTURE
TEXAS' HOME RULE CITIES

CITY	RACIAL/ETHNIC PERCENT[a]		POP.	FORM OF GOV'T.	ELECTION TYPE[b]	NUMBERED PLACE	MAJORITY REQ.
Abilene	5.8%(B)	9.9%(SS)	89,653[c]	C-M[d]	At-Large	Yes	Yes
Alamo Heights	0.20%(B)	N.A.(SS)	6,533	Mayor-Council	At-Large	Yes	Yes
Alice	1.0%(B)	63.3%(SS)	20,121	C-M	At-Large	No	No
Alvin	1.5%(B)	17.2%(SS)	10,671	C-M	At-Large	Yes	Yes
Amarillo	5.3%(B)	6.6%(SS)	127,010	C-M	At-Large	Yes	Yes
Andrews	3.0%(B)	N.A.(SS)	8,625	C-M	At-Large	Yes	Yes
Angleton	10.4%(B)	N.A.(SS)	9,770	C-M	At-Large	Yes	Yes
Anson	5.2%(B)	N.A.(SS)	2,615	C-M	At-Large	Yes	Yes
Aransas Pass	4.6%(B)	N.A.(SS)	5,813	C-M	At-Large	Yes	No
Arlington	0.6%(B)	3.1%(SS)	90,643	C-M	At-Large	Yes	Yes
Athens	20.2%(B)	N.A.(SS)	9,582	C-M	At-Large	Yes	Yes
Atlanta	25.5%(B)	N.A.(SS)	5,007	C-M	At-Large	Yes	No
Austin	11.7%(B)	15.6%(SS)	251,808	C-M	At-Large	Yes	Yes
Azle	0.71%(B)	N.A.(SS)	4,493	C-M	At-Large	Yes	No
Ballinger	4.7%(B)	N.A.(SS)	4,203	Mayor-Council	At-Large	Yes	Yes
Baytown	4.9%(B)	9.2%(SS)	43,980	C-M	At-Large	Yes	Yes
Beaumont	30.2%(B)	3.2%(SS)	115,919	C-M	At-Large	Yes	Yes
Bedford	0.01%(B)	1.1%(SS)	10,049	Mayor-Council	At-Large	Yes	Yes
Beeville	3.0%(B)	42.9%(SS)	13,506	C-M	At-Large	Yes (File by ward w/o residency requirement)	Yes
Bellaire	0.05%(B)	4.2%(SS)	19,009	C-M	At-Large	Yes	Yes

(a) Source: United States Census, Characteristics of the Population, Vol. 1, Pt. 45 (Texas) Section 1.

(b) Taken from city charters and a telephone survey.

(c) For all cities 25,000 and above, 1975 U. S. Census data used.

(d) Council Manager

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Bellmead	3.9%(B)	N.A.(SS)	7,698	C-M	At-Large	Yes	No
Belton	9.0%(B)	N.A.(SS)	8,696	C-M	At-Large	Yes	No
Big Spring	5.2%(B)	17.3%(SS)	28,735	C-M	At-Large	Yes	Yes
Bonham	11.1%(B)	N.A.(SS)	7,698		At-Large	Yes	Yes
Borger	4.1%(B)	1.4%(SS)	14,195	C-M	At-Large	No	No
Breckenridge	6.7%(B)	N.A.(SS)	5,944	C-M	At-Large	Yes	Yes
Brenham	20.6%(B)	N.A.(SS)	8,922	C-M	At-Large	Yes	Yes
Bridge City	0.03%(B)	N.A.(SS)	8,164	C-M	At-Large	Yes	No
Brownfield	4.9%(B)	N.A.(SS)	9,647	C-M	At-Large	Yes	No
Brownsville	0.02%(B)	85.9%(SS)	52,522	Commission	At-Large	Yes	Yes
Brownwood	4.9%(B)	4.3%(SS)	17,368	C-M	At-Large	Yes(File by ward w/residency requirement)	Yes
Bryan	19.7%(B)	13.7%(SS)	33,719	C-M	At-Large	Yes	Yes
Burkburnet	2.2%(B)	N.A.(SS)	9,230	C-M	At-Large	Yes	No
Burleson	0.0%(B)	N.A.(SS)	7,713	C-M	At-Large	Yes	Yes
Cameron	24.4%(B)	N.A.(SS)	5,546	Mayor-Council	At-Large	Yes	No
Canyon	0.96%(B)	N.A.(SS)	8,333	C-M	At-Large	Yes	Yes
Carrizo Springs	1.17%(B)	N.A.(SS)	5,374	C-M	At-Large	No	No
Carrollton	2.7%(B)	5.5%(SS)	13,855	C-M	At-Large	Yes	No
Carthage	18.9%(B)	N.A.(SS)	5,392	C-M	At-Large	Yes	No
Cedar Hill	0.0%(B)	N.A.(SS)	2,610	Mayor-Council	At-Large	Yes	Yes
Childress	6.0%(B)	N.A.(SS)	5,408	C-M	At-Large	Yes	Yes
Cisco	3.6%(B)	N.A.(SS)	4,160	C-M	At-Large	Yes	Yes
Cleburne	5.7%(B)	1.4%(SS)	16,015	C-M	At-Large	Yes	Yes
Clute	5.3%(B)	N.A.(SS)	6,023	Mayor-Council	At-Large	Yes	Yes
Coleman	3.2%(B)	N.A.(SS)	5,608	C-M	At-Large	Yes	Yes
College Station	6.1%(B)	6.1%(SS)	17,676	C-M	At-Large	No	No
Colleyville	0.08%(B)	N.A.(SS)	3,368	C-M	At-Large	Yes	Yes
Colorado City	9.0%(B)	N.A.(SS)	5,227	C-M	At-Large	No	No
Commerce	9.4%(B)	N.A.(SS)	9,534	C-M	At-Large	No	Yes
Conroe	21.4%(B)	2.6%(SS)	11,969	Mayor-Council	At-Large	Yes	Yes

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Corpus Christi	5.1%(B)	40.6%(SS)	204,525	C-M	At-Large	Yes	Yes
Corsicana	22.4%(B)	2.7%(SS)	19,972	C-M	Single Member District^{e}	No	Yes
Crockett	54.7%(B)	N.A.(SS)	6,616	Council-Adm.	At-Large	Yes	Yes
Crystal City	0.37%(B)	N.A.(SS)	8,104	C-M	At-Large	No	No
Cuero	18.8%(B)	N.A.(SS)	6,956	C-M	At-Large	Yes	No
Dalhart	1.9%(B)	N.A.(SS)	5,705	C-M	At-Large	Yes	No
Dallas	24.9%(B)	8.0%(SS)	844,401	C-M	Mixed 8 SMD's 3 At-Large	Yes	Yes
Dayton	24.0%(B)	N.A.(SS)	3,804	C-M	At-Large	No	No
Deer Park	.007%(B)	2.5%(SS)	12,773	C-M	At-Large	Yes	Yes
De Leon		N.A.(SS)	2,170	N/A	At-Large	Yes	Yes
Del Rio	2.1%(B)	65.3%(SS)	21,330	C-M	Mixed 3 SMD's 3 At-Large	Yes	Yes
Denison	11.3%(B)	0.65%(SS)	24,923	C-M	At-Large	Yes	Yes
Denton	8.0%(B)	4.4%(SS)	39,874	C-M	At-Large	Yes	Yes
DeSoto	0.09%(B)	N.A.(SS)	6,617	C-M	At-Large	Yes	Yes
Donna	0.57%(B)	N.A.(SS)	7,365	C-M	At-Large	Yes	No
Dumas	0.04%(B)	N.A.(SS)	9,771	C-M	At-Large	Yes	Yes
Duncanville	0.014%(B)	1.1%(SS)	14,105	C-M	At-Large	Yes	No
Eagle Pass	0.02%(B)	81.0%(SS)	15,364	C-M	At-Large	Yes	Yes
Eastland	3.3%(B)	N.A.(SS)	3,178	C-M	At-Large	Yes	Yes
Edinburg	0.45%(B)	70.5%(SS)	17,163	Commission-Manager	At-Large	Yes	No
Edna	17.6%(B)	N.A.(SS)	5,332	C-M	At-Large	Yes	Yes
El Campo	10.6%(B)	N.A.(SS)	8,563	C-M	At-Large	Yes	Yes
Electra	4.0%(B)	N.A.(SS)	3,895	No Response	-	-	-
El Paso	2.1%(B)	58.1%(SS)	322,261	Mayor-Council	Single Member District	No	Yes
Ennis	21.8%(B)	10.5%(SS)	11,046	C-M	At-Large	Yes	No

(e) Election types were classified as single member district if all of the councilpersons were elected from residency districts by the voters of each district. The mayor is elected at-large in all of Texas' single member district cities.

(f) The "mixed" electoral system contains positions elected at-large and single member residency districts.

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Euless	0.43%(B)	2.0%(SS)	19,316	C-M	At-Large	Yes	Yes
Farmers Branch	0.28%(B)	5.2%(SS)	27,492	C-M	At-Large	Yes	Yes
Forest Hill	0.02%(B)	N.A.(SS)	8,236	C-M	At-Large	Yes	Yes
Fort Worth	19.9%(B)	8.5%(SS)	393,476	C-M	Single Member Districts	No	Yes
Freeport	10.7%(B)	12.4%*SS)	11,997	C-M	At-Large	Yes	No
Friendswood	0.05%(B)	N.A.(SS)	5,675	C-M	At-Large	Yes	Yes
Gainesville	6.7%(B)	1.1%(SS)	13,830	C-M	Single Member District	No	No
Galena Park				Mayor-Commission	At-Large	No	No
Galveston	30.2%(B)	17.7%(SS)	61,809	C-M	At-Large	No	No
Garland	3.7%(B)	3.8%(SS)	81,437	C-M	Single Member District	No	Yes
Gatesville	6.8%(B)	N.A.(SS)	4,638	C-M	At-Large	Yes	Yes
Georgetown	8.9%(B)	N.A.(SS)	6,395	C-M	At-Large	No	No
Gladewater	17.1%(B)	N.A.(SS)	5,574	C-M	At-Large	No	No
Gonzales	16.8%(B)	N.A.(SS)	5,854	C-M	At-Large	No	No
Gorman		N.A.(SS)	1,236	Mayor-Commission	At-Large	Yes	Yes
Graham	1.9%(B)	N.A.(SS)	7,477	C-M	At-Large	Yes	Yes
Grand Prairie	7.3%(B)	6.6%(SS)	50,904	C-M	At-Large	Yes	No
Grapevine	2.4%(B)	N.A.(SS)	7,023	C-M	At-Large	Yes	Yes
Greenville	8.7%(B)	1.8%(SS)	22,043	C-M	At-Large	Yes	Yes
Groves	0.05%(B)	3.1%(SS)	18,067	C-M	Single Member District	Yes	Yes
Haltom City	0.19%(B)	3.1%(SS)	28,127	C-M	At-Large	Yes	Yes
Harker Heights	7.2%(B)	N.A.(SS)	4,216	C-M	At-Large	Yes	No
Harlingen	1.18%(B)	64.3%(SS)	33,503	Mayor-Council	At-Large	No	Yes
Hearne	38.4%(B)	N.A.(SS)	4,982	C-M	At-Large	No	No
Henderson	28.0%(B)	0.18%(SS)	10,187	C-M	At-Large	No	Yes
Hereford	1.6%(B)	30.4%(SS)	13,414	C-M	At-Large	Yes	No

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Highland Park	1.2%(B)	1.0%(SS)	10,133	Mayor-Council	At-Large	No	No
Hillsboro	17.5%(B)	N.A.(SS)	7,224	C-M	At-Large	Yes	No
Hitchcock	35.6%(B)	N.A.(SS)	5,565		At-Large	Yes	Yes
Houston	25.7%(B)	12.1%(SS)	1,232,802	Mayor-Council	Mixed (9 SMD's, 6 At-Large)	Yes	Yes
Humble	1.0%(B)	N.A.(SS)	3,278	Mayor-Council	At-Large	Yes	No
Huntsville	20.8%(B)	3.3%(SS)	17,610	C-M	Mixed (4 SMD's, 4 At-Large)	Yes	Yes
Hurst	0.01%(B)	2.5%(SS)	27,215	C-M	At-Large	Yes	Yes
Irving	0.09%(B)	4.4%(SS)	97,260	C-M	At-Large	Yes	Yes
Jacksonville	25.1%(B)	N.A.(SS)	9,734	C-M	Single Member District	No	Yes
Jasper	37.2%(B)	N.A.(SS)	6,251	C-M	At-Large	Yes	Yes
Kerrville	5.7%(B)	12.4%(SS)	12,672	C-M	At-Large	Yes	No
Kilgore	9.0%(B)	N.A.(SS)	9,495	C-M	At-Large	Yes	No
Killeen	9.9%(B)	7.9%(SS)	35,507	C-M	At-Large	Yes	Yes
Kingsville	4.6%(B)	44.1%(SS)	28,711	C-M	At-Large	No	Yes
Lake Jackson	0.37%(B)	1.3%(SS)	13,376	C-M	At-Large	Yes	Yes
Lake Worth	0.18%(B)	N.A.(SS)	4,958	Mayor-Council	At-Large	Yes	Yes
La Marque	16.5%(B)	2.7%(SS)	16,131	C-M	At-Large	Yes	No
Lamesa	6.9%(B)	27.3%(SS)	11,559	C-M	At-Large	Yes	No
Lancaster	3.6%(B)	3.8%(SS)	10,522	C-M	At-Large	Yes	Yes
La Porte	12.6%(B)	N.A.(SS)	7,149	Commission	At-Large	Yes	No
Laredo	0.47%(B)	86.4%(SS)	69,024	C-M	At-Large	Yes	Yes
League City	1.4%(B)	5.4%(SS)	10,818	C-M	At-Large	No	No
Levelland	4.8%(B)	9.2%(SS)	11,445	C-M	At-Large	Yes	No
Lewisville	4.5%(B)	N.A.(SS)	9,264	Mayor-Council	At-Large	Yes	Yes
Liberty	17.5%(B)	N.A.(SS)	5,591	C-M	At-Large	No	Yes
Littlefield	7.2%(B)	N.A.(SS)	6,738	C-M	At-Large	Yes	No
Lockhart	14.5%(B)	N.A.(SS)	6,489	C-M	At-Large	Yes	No
Longview	18.9%(B)	1.0%(SS)	45,547	C-M	Single Member District	No	Yes
Lubbock	7.3%(B)	16.0%(SS)	149,101	C-M	At Large	Yes	Yes
Lufkin	28.0%(B)	2.4%(SS)	23,049	C-M	Single Member District	No	Yes

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Luling	16.06%(B)	N.A.(SS)	4,719	C-M	Single Member District	No	Yes
McAllen	0.2%(B)	68.9%(SS)	37,636	Mayor-Council	At-Large	Yes	Yes
McKinney	13.3%(B)	7.8%(SS)	15,193	C-M	Mixed	Yes	Yes
Mansfield	10.5%(B)	N.A.(SS)	3,658	C-M	At-Large	Yes	Yes
Marlin	34.7%(B)	N.A.(SS)	6,351	Mayor-Council	Mixed	Yes	No
Marshall	34.9%(B)	0.29%(SS)	22,937	C-M	At-Large	Yes	Yes
Mercedes	0.02%(B)	N.A.(SS)	9,355	C-M	At-Large	Yes	No
Mesquite	0.01%(B)	4.2%(SS)	55,131	C-M	At-Large	Yes	Yes
Mexia	32.9%(B)	N.A.(SS)	5,943	C-M	At-Large	Yes	Yes
Midland	9.8%(B)	11.2%(SS)	59,463	C-M	At-Large	Yes	No
Mineral Wells	5.5%(B)	5.0%(SS)	18,411	C-M	Mixed	Yes	No
Mission	0.21%(B)	72.76%(SS)	13,043	C-M	At-Large	Yes	Yes
Monahans	4.6%(B)	N.A.(SS)	8,333	C-M	At-Large	Yes	No
Mount Pleasant	24.7%(B)	N.A.(SS)	8,877	Mayor-Council	At-Large	No	No
Muleshoe	2.9%(B)	N.A.(SS)	4,525	Mayor-Council	At-Large	Yes	No
Nacogdoches	24.1%(B)	2.1%(SS)	22,544	C-M	Single Member District	No	Yes
Nassau Bay		N.A.(SS)	2,979	No Response	No Response	-	-
Navasota		N.A.(SS)	5,111	C-M	At-Large	No	No
Nederland	0.04%(B)	3.9%(SS)	16,810	C-M	At-Large	Yes	Yes
New Braunfels	2.0%(B)	30.7%(SS)	17,859	C-M	At-Large	Yes	Yes
North Richland Hills	0.07%(B)	1.2%(SS)	16,514	C-M	At-Large	Yes	Yes
Odessa	5.8%(B)	14.6%(SS)	78,380	C-M	At-Large	Yes	No
Orange	26.3%(B)	3.2%(SS)	24,457	C-M	At-Large	Yes	No
Palestine	25.4%(B)	1.8%(SS)	14,525	C-M	Single Member District	Yes	Yes
Pampa	4.1%(B)	1.6%(SS)	21,726	C-M	At-Large	No	Yes
Paris	20.5%(B)	0.32%(SS)	23,441	C-M	Mixed (5 SMD's, 2 At-Large)	No	NO
Pasadena	0.01%(B)	7.7%(SS)	89,277	Mayor-Council	At-Large	Yes	Yes
Pearland	0.2%(B)	N.A.(SS)	6,444	C-M	At-Large	Yes	Yes
Pharr	0.1%(B)	77.7%(SS)	15,829	C-M	At-Large	No	No
Plainview	6.6%(B)	14.6%(SS)	19,096	C-M	At-Large	Yes	Yes

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Plano	4.9%(B)	3.1%(SS)	17,872	C-M	At-Large	Yes	Yes
Port Arthur	40.29%(B)	6.6%(SS)	57,371	C-M	At-Large	Yes	Yes
Portland	0.08%*B)	N.A.(SS)	7,302	C-M	At-Large	No	No
Port Lavaca	6.4%(B)	35.5%(SS)	10,491	C-M	Mixed	Yes	Yes
Port Neches	0.05%(B)	2.7%(SS)	10,894	C-M	At-Large	Yes	No
Quanah	12.3%(B)	N.A.(SS)	3,948	Mayor-Council	At-Large	Yes	No
Ranger	4.1%(B)	N.A.(SS)	3,094	Mayor-Council	At-Large	Yes	Yes
Raymondville	0.76%(B)	N.A.(SS)	7,987	C-M	At-Large	Yes	Yes
Richardson	0.04%(B)	3.2%(SS)	48,582	C-M	Mixed	Yes	Yes
River Oaks	0.08%(B)	N.A.(SS)	8,193	Mayor-Council	At-Large	No	No
Robstown	2.8%(B)	64.1%(SS)	11,217	Mayor-Council	At-Large	No	No
Rosenberg	8.1%(B)	21.3%(SS)	12,098	Mayor-Council	At-Large	Yes	Yes
San Angelo	4.3%(B)	19.5%(SS)	63,884	C-M	Single Member District	No	Yes
San Antonio	7.6%(B)	52.8%(SS)	654,153	C-M	Single Member District	No	Yes
San Benito	0.29%(B)	74.8%(SS)	15,176	Mayor-Commission	At-Large	Yes	Yes
San Juan	0.01%(B)	N.A.(SS)	5,070	Commission	At-Large	Yes	Yes
San Marcos	4.0%(B)	35.9%(SS)	18,860	C-M	At-Large	Yes	Yes
Schertz	2.8%(B)	N.A.(SS)	4,061	C-M	At-Large	Yes	No
Seagoville	6.7%(B)	N.A.(SS)	4,390	C-M	At-Large	No	No
Seguin	14.4%(B)	35.3%(SS)	15,934	Mayor-Council	Single Member District	No	No
Sherman	9.9%(B)	2.2%(SS)	29,061	C-M	At-Large	Yes	Yes
Silsbee	34.1%(B)	N.A.(SS)	7,271	C-M	At-Large	Yes	No
Sinton	3.8%(B)	N.A.(SS)	5,563	C-M	At-Large	No	No
Slaton	11.9%(B)	N.A.(SS)	6,583	N/A	Mixed	Yes	Yes
Snyder	3.9%(B)	7.5%(SS)	11,171	C-M	At-Large	Yes	Yes
Stamford	7.3%(B)	N.A.(SS)	4,558	C-M	At-Large	Yes	Yes
Stephenville	1.3%(B)	N.A.(SS)	9,277	C-M	At-Large	Yes	No
Sulphur Springs	15.6%(B)	0.21%(SS)	10,642	Commission	At-Large	No	No
Sweetwater	5.7%(B)	11.6%(SS)	12,020	Commission	At-Large	Yes	Yes
Taylor	20.3%(B)	N.A.(SS)	9,616	C-M	At-Large	No	No

CITY	RACIAL/ETHNIC PERCENT		POP.	FORM OF GOV'T.	ELECTION TYPE	NUMBERED PLACE	MAJORITY REQ.
Temple	16.5%(B)	9.8%(SS)	33,431	C-M	Single Member District	No	Yes
Terrell	34.4%(B)	1.4%(SS)	14,182	C-M	Mixed	Yes	No
Terrell Hills	0.57%(B)	N.A.(SS)	5,225	Mayor-Council	At-Large	Yes	No
Texarkana	27.6%(B)	0.6%(SS)	30,497	C-M	At-Large	Yes	No
Texas City	20.8%(B)	11.0%(SS)	38,908	Mayor-Council	Mixed	Yes	No
Tulia	4.7%(B)	N.A.(SS)	5,294	C-M	At-Large	Yes	No
Tyler	21.3%(B)	2.4%(SS)	57,770	C-M	Single Member District	No	Yes
Universal City	1.9*(B)	N.A.(SS)	7,613	C-M	At-Large	No	No
Uvalde	0.76%(B)	45.9%(SS)	10,764	C-M	At-Large	No	Yes
Vernon	10.8%(B)	5.7%(SS)	11,454	C-M	At-Large	Yes	Yes
Victoria	8.5%(B)	32.6%(SS)	41,349	C-M	No Response	-	-
Vidor	0.0%(B)	N.A.(SS)	9,738	Mayor-Council	At-Large	Yes	No
Waco	19.8%(B)	8.6%(SS)	95,326	C-M	Single Member District	No	No
Waxahachie	21.1%(B)	6.1%(SS)	13,452	C-M	At-Large	No	No
Weatherford	2.4%(B)	1.9%(SS)	11,750	C-M	At-Large	Yes	No
Weslaco	0.30%(B)	67.2%(SS)	15,313	Commission-Manager	At-Large	Yes	Yes
West Orange	0.0%(B)	N.A.(SS)	4,787	C-M	At-Large	No	No
W. University Place	0.06%(B)	4.6%(SS)	13,317	C-M	At-Large	No	No
Wharton	26.8%(B)	N.A.(SS)	7,881	C-M	At-Large	Yes	Yes
White Settlement	0.23%(B)	2.0%(SS)	13,449	C-M	At-Large	Yes	Yes
Wichita Falls	7.2%(B)	6.6%(SS)	97,564	C-M	At-Large	Yes	No
Woodway				N/A	No Response	-	-
Yoakum				Commission-Manager	At-Large	No	No

(1) specific candidates are given visibility in a large field of candidates and (2) it is then possible for minority candidates to be "spotlighted" in specific matched races. If racially polarized voting behavior is identified in the district, Mexican American and black candidates can be identified in what is many times a bewildering array of contenders. And, minority candidates can be "matched" with particularly strong opposing candidates. Of course, the possibility of "single shot voting"--the voters of a particular group combining their voting strength by singling out a particular candidate running at-large--is effectively prevented.

The majoriy run-off requirement in elections can also act to dilute minority voting strength. Table 6-2 illustrates that 109 of the 192 cities employing an at-large or mixed electoral arrangement also have the majority run-off provision. The majority run-off procedure can act to insure that predominantly Anglo voting majorities have a "second shot" at Mexican American and black candidates who have failed to muster a majority of votes in the first election[8] (see Table 6-2 for the characteristics of each of the home rule cities).

School districts, junior college districts and other lower political subdivisions in Texas also have an option to adopt the numbered place and majority run-off provision.[9] If school districts have adopted the numbered post and majority run-off arrangements since 1972, these election changes will have to be submitted to the Justice Department under Section 5 of the 1975 Voting Rights Act (see the discussion of the VRA and Section 5 below, Chapter 10).

In conclusion, it can be seen that the structural arrangements of many Texas cities may continue to act as legal barriers to the full political access and impact which minority voters are guaranteed under the Fourteenth and Fifteenth Amendments to the United States Constitution.

CHAPTER 6
FOOTNOTES

[1] For a general discussion of general law and home rule cities, see Clifton McClesky, et al., The Government and Politics of Texas, 6th ed. (Boston, Mass.: Little Brown and Company, 1978), 261-69; Tex. Const. Art. 11, §5.

[2] Texas Municipal League, Directory of City Officials, 1978-79, Austin, Texas: TML, 1978).

[3] This category should not be thought of exclusively as that of city manager, although many of the city governments examined are council-manager in form and, therefore, the general category of city administrator does include city managers. According to the definition used in this study, city managers, coordinators, city administrators and superintendents are included under "city administrators." Data concerning black representation to this appointed position was not available.

[4] The issue of a representative bureaucracy is an important and controversial issue in public administration. For a brief discussion of the issue and attendant problems in the federal bureaucracy, see Samuel Krislov, "Toward a Representative Bureaucracy," contained in Francis Rourke's Bureaucratic Power In National Politics, 3rd ed. revised (Boston, Mass: Little Brown and Company, 1978), 445-57.

[5] See, for example, David Olson, "The Structure of Electoral Politics," Journal of Politics 29 (May, 1967), 352-69 , or Edmund Fowler and Robert Lineberry, "Reformism and Public Policies in American Cities," American Political Science Review 61 (September, 1967), 701-16.

[6] This conclusion has been reached in a long list of judicial decisions: one of the most important is White v. Regester 412 U.S. 753 (1973). For conflicting opinions concerning the effects of the at-large election structures (among other structures) on minority representation in cities, see "The Impact of Municipal Reformism: A Symposium" (a collection of articles) contained in Social Science Quarterly (June, 1978), 117-177. Finally, for a summary of the early legal challenges to at-large elections in Texas, see Charles L. Cotrell, "The Effect of At-Large Elections

CHAPTER 6
FOOTNOTES

on the Political Access and Voting Strength of Mexican Americans and Blacks in Texas," House Hearings on Extension of the Voting Rights Act, Supra., 408-79.

[7] See Roy E. Young, The-Place System in Texas Elections (Austin: Institute of Public Affairs, University of Texas, 1965), Clifton McClesky, et al., The Government and Politics of Texas, 6th ed. (Boston, Mass: Little Brown and Company, 1978), 273, U.S. Commission on Civil Rights, The Voting Rights Act: Ten Years After (Washington, D.C.: U.S. Printing Office, 1975), 206-07, and Charles Cotrell, "The Effects. . . in Texas," Supra., 14.

In White v. Regester, the Court found that while the majority vote and place requirements were ". . . neither in themselves improper nor invidious, (they) enhanced the opportunity for racial discrimination" (White v. Regester at 766).

[8] See McClesky and Cotrell, note 6. Additionally, see White v. Regester, supra., note 7.

[9] Texas Education Code, Art. 23.11. Of the over 1,100 school districts in Texas, those with as few as 150 scholastics may adopt the numbered place and majority arrangements irrevocably.

CHAPTER 7

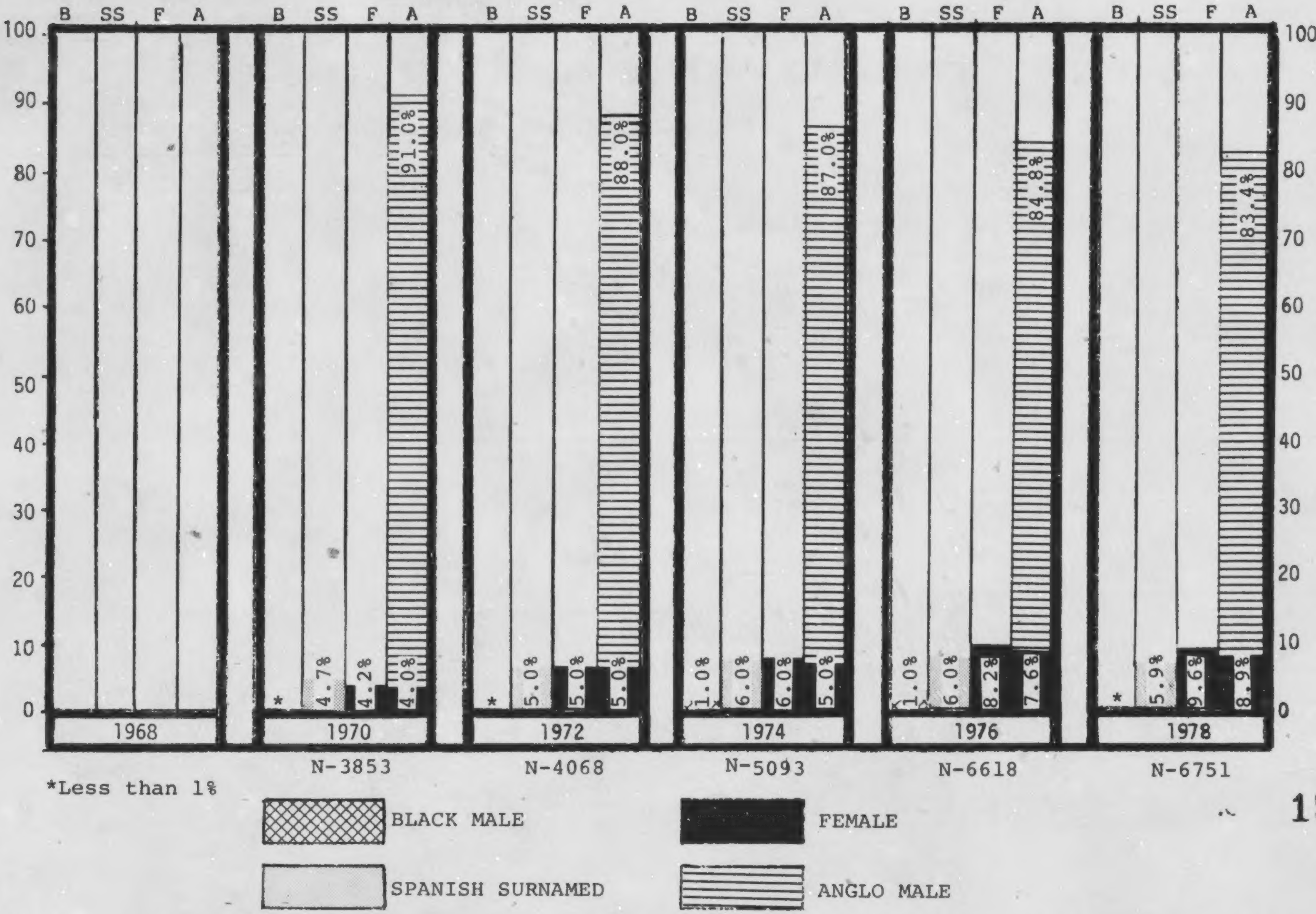
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS

> The basic finding of this report is that minority students in the Southwest-Mexican Americans, blacks, American Indians--do not obtain the benefits of public education at a rate equal to that of their Anglo classmates.[1]

There is no area of human concern more important to parents than the quality of education which their children receive. That Mexican American and black school children fail to receive an adequate education is a well-documented fact.[2] Other reports have called attention to the relationship between minority representation and representational effectiveness of school boards and the method of electing school board members.[3] With the exceptions of Dallas, Houston, Waco and Ft. Worth, school boards are elected at-large in Texas.[4] Thus, the voting dynamics[5] which act to minimize and to dilute minority citizens' voting strength in other at-large election jurisdictions exist in many school board elections throughout the state.[6] Again, the effect of election rules can be seen to influence election outcomes. The findings of minority representation presented below should be understood in the context of the prevailing election structure and its effect.

The Figure 7-1 reveals that 86.4% of local school board members in Texas, 1970-78, were Anglo male, while 6.5% were Anglo female. Ninety-two point nine percent (92.9%) of all school board members

FIGURE 7-1.
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, 1970-78



*Less than 1%

Source: Records of Texas Associations of School Boards; National Roster of Black Elected Officials, Volumes 1-7.

were Anglo. The total number of positions analyzed in order to derive these percentages were 26,383. Both Mexican American and blacks accounted for less than ten percent (7.1%) of all school board members, 1970-78. Spanish surname female representation for this period is virtually nonexistent (0.4%); the same can be said for black female representation (0.1%). Spanish surname males constituted 6.2% of all positions, 1970-78, while black males composed less than one percent (0.8%) of the positions.

The largest increase in representation over the eight year period has been registered among Anglo females--from 4.0% in 1968 to 8.9% in 1978. Mexican American males' representation percentage increased only slightly--from 4.7% in 1970 to 5.9% in 1978. Black male representation increased only in tenths of one percent--0.2% in 1968 to 0.8% in 1978.

Regional analyses reveal that only the South Texas region, with its majority Spanish surname population, rises above five percent in minority representation (28.0%) (black and Spanish surname representation). East Texas is the next highest region in minority representation with black representatives constituting only 2.1% of the region's school board membership, 1970-78. The combined minority representation is two percent in three of the regions--the Central, North and Panhandle region.

These statistics tend to support the contention that election structures impact election outcomes. Further, the low percentage of minority representatives revealed in these statistics are graphic evidence that school board elections and policies are very salient isssues to parents/voters. There are few issues on the local level during the decade of the Seventies which are so clearly divisive as the issue of quality education and how to attain it. The stakes are high for all parents and intense feelings always find their way into the voting booth.

CHAPTER 7 FOOTNOTES

[1] United States Commission on Civil Rights, The Unfinished Education: Outcomes of Minorities in Five Southwestern States (U.S. Government Printing Office, Washington, D.C. 1971), 41.

[2] See, for example, San Antonio Independent School District v. Rodriguez, 93 S. Ct. 1278 (1973).

[3] United States Commission on Civil Rights, Toward Quality Education for Mexican Americans (U.S. Government Printing Office, Washington, D.C., 1974).

[4] Although the statutory language (see Article 23.11, Texas Education Code) does not require at-large elections, this election method is employed in virtually all school districts. Further, the adoption of the numbered place and majority number requirements is left to the discretion of local school boards (see Chapter 6, note 9, supra).

[5] Racially polarized voting over a period of years can have the effect of diluting the voting strength of Mexican American and black citizens.

[6] See Calderon v. McGee, Civil Action No. W-74-CA-21 (Western District of Texas, Waco Division, May, 1976) as an example of a federal court finding of constitutionally impermissible vote dilution in the Waco Independent School District elections.

CHAPTER 8

MINORITY AND FEMALE REPRESENTATION ON JUNIOR COLLEGE DISTRICT BOARDS

The 1978-79 edition of the Texas Almanac[1] lists thirty-four state supported junior colleges and junior college districts which enrolled approximately 162,000 students during the regular term, 1977-78.[2] The percentage of minority students included in this figure is unknown, but in districts such as Del Mar (in Nueces County located in South Texas) and the San Antonio Junior College District (with both campuses located in Bexar County in the South Texas Region), minority students constitute well over one-half of the student body. Additionally, junior colleges are the first door of entrance for many poor students who expect either to gain a skill at that academic level or to continue their education at the senior college level. For many students, then, junior colleges are more directly related to community education than the prestigious senior colleges and universities.

Board composition of these important educational institutions is directly related to minority and non-minority concerns in policy areas ranging from faculty hiring to the extension of academic centers and programs throughout a community. And only a novice in politics would not be aware of the heated electoral battles which ensue during board elections. Little is known about the ballot systems of these educational entities. However, a partial survey revealed that at-large election structures are employed for the election of board members in most junior college districts. The existence of other electoral features, such as the numbered post system and the majority vote requirement are not known about these electoral systems.[3]

Information concerning the composition of junior college district boards 1968-78, is only partially complete. Nevertheless, the junior college district data does comport with the general patterns of representation reflected in the county, district and local offices examined in Chapters 5, 6 and 7.

Table 8-1 indicates the general minority percentage proportions in junior college district representation, 1968-78 are similar to those of county, local and school district offices analyzed earlier. That is, Mexican Americans and blacks are noticeably absent from the membership on the boards analyzed in this study. For the period 1968-78, minority representation was less than ten percent (7.8%). Mexican American and black females were the least represented--two percent and zero percent respectively. Total female representation was also less than ten percent (9.8%).

Mexican American and black male representation did not exceed the ten percent figure for the 1968-78 period. Mexican American males held 3.7% of the positions analyzed, while black males fared less well with 2.1%. In accord with the earlier findings, Anglo males occupied 84.4% of all board positions for the period 1968-78. A larger sampling of junior college districts might change these percentages by several percent. But given earlier findings in different, but many times overlapping jurisdictions, there is no reason to believe that the proportions of racial/ethnic and sex representation on junior college district boards significantly

TABLE 8-1

MINORITY AND FEMALE REPRESENTATION ON JUNIOR COLLEGE DISTRICT BOARDS, 1968-78

ETHNIC/RACIAL GROUP	1968[a]		1970[a]		1972[a]		1974[b]		1976[c]		1978[d]	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
SPANISH SURNAMED	1 (4.8%)	1 (4.8%)	1 (4.8%)	1 (4.8%)	1 (4.8%)	1 (4.8%)	2 (2.4%)	1 (1.2%)	2 (1.3%)	2 (1.3%)	6 (11.1%)	1 (1.9%)
BLACK	1 (4.8%)		1 (9.5%)		1 (4.8%)		1 (1.2%)		1 (0.6%)		2 (3.7%)	
MINORITY REP.	2 (9.5%)	1 (4.8%)	2 (9.5%)	1 (4.8%)	2 (9.5%)	1 (4.8%)	3 (3.7%)	1 (1.2%)	3 (2.0%)	2 (1.3%)	8 (14.8%)	1 (1.9%)
ANGLO	16 (76.2%)	2 (9.5%)	15 (71.4%)	3 (14.3%)	16 (76.2%)	2 (9.5%)	74 (90.2%)	4 (4.9%)	132 (89.2%)	11 (7.4%)	40 (74.1%)	5 (9.3%)
FEMALE REP.		3 (14.3%)		4 (19.1%)		3 (14.3%)		5 (6.1%)		13 (8.7%)		6(11.2%)

TOTAL 1968-78

	Male	Female
SPANISH SURNAMED	13 (3.7%)	7 (2.0%)
BLACK	7 (2.1%)	
MINORITY REP.	20 (5.8%)	7 (2.0%)
ANGLO	293 (84.4%)	27 (7.9%)
FEMALE REP.		34 (9.8%)

Source: Records of the Texas Association of School Boards and the respective junior college districts.

[a] Based on three junior college district boards reporting.

[b] Based on ten junior college district boards reporting.

[c] Based on sixteen junior college districts reporting.

[d] Based on five junior college districts reporting.

change. Indeed, the finding that most junior college electoral systems are at-large reinforces this conclusion. As was concluded earlier, the at-large election structure has directly affected the election of minority candidates to state legislative, school district and city offices in Texas.

CHAPTER 8

FOOTNOTES

[1] (A.H. Bello Corporation: Dallas, Texas, 1977), 564-72.

[2] An exception to the findings of this informal survey is found in the Paris Junior College District located primarily in the City of Paris, Texas. As a result of a legal settlement reached in August, 1978, the Paris Junior College District adopted a 7-2 plan (seven single member districts with two positions elected at-large). The plan almost certainly will result in the election of minority candidates to office. (See Seamon v. Burnett, Civ. No. P-75-3-CA (E.D. Tex., March 15, 1976).

[3] The analysis of 1968, 1970 and 1972 is based upon the Del Mar Junior College District Board (Nueces County), the McLennan County Community College Board and the San Antonio Junior College District Board. These three boards were used throughout the eleven year period of analysis.

The 1974 analysis is derived from the Alvin Junior College Board (Brazoria County), the Blinn College Board (Washington County), the Barzosport College Board (Brazoria County), Ranger Junior College (Eastland County), Tarrant County Junior College District (Tarrant County), Weatherford College (Parker County) and Wilbarger County Junior college District (Wilbarger County), in addition to the three boards mentioned above.

The 1976 analysis is derived from one-half of the junior college districts listed in the Texas Almanac--sixteen in number. They are Alvin Junior College, Angelina College (Angelina County), Barzosport College, Cisco Junior College (Eastland County), College of the Mainland (Galveston County), Ranger Junior College, Tarrant County Junior College District, Wilbarger County Junior College, Hill Junior College (Hill County), Kilgore Junior College District (Gregg County), South Plains Junior College (Hockley County), Southeast Texas Junior College (Uvalde County), in addition to the three districts mentioned in the first paragraph.

The 1978 analysis is based upon the board composition of Galveston Community College (Galveston County) and Bee County College (Bee County), in addition to the original three districts cited above.

CHAPTER 9

MINORITY AND FEMALE REPRESENTATION IN THE DEMOCRATIC AND REPUBLICAN POLITICAL PARTY ORGANIZATIONS, 1968-78

If widespread citizen participation in politics is to be meaningful and effective, the rules and statutes governing access to political parties must be open to participation by all citizens. Traditionally, political party rules have been established by state legislative action and by organs of the various state political parties. For example, in the process of choosing delegates to represent a state political party at national presidential nominating conventions, over one-half of the states employ conventions or committees as the selection vehicle. In contrast, most of the populous states employ state presidential primaries to select the delegates (voters select the delegates at the polls). Other states, such as Texas in 1976, use a combination of these two methods.

Whichever method of delegate selection is employed by a state, two aspects of the selection process need to be emphasized: (1) The state convention system of delegate selection emphasizes discretion and rule manipulation by the party governing elite or inner circle, while the primary system of selection tends to open the process to voter choice (although the voting process may be closed to certain racial/ethnic groups in the electorate);[1] (2) Participation in political party processes has been historically an area of political participation from which minority peoples have been excluded in the regions of the South and the Southwest (see Chapter 1 above). In Texas, for example, many of voting rights abuses historically have derived from a denial of access to political party nominations, elections and decision-making.

During the presidential election years 1968 and 1972, Texas law provided for the selection of delegates to the national presidential convention by means of state conventions meeting in June of presidential election years.[2] In 1976, a presidential primary was instituted which provided that at least seventy-five percent of the voting delegates apportioned to Texas be elected from state senatorial districts (or, in some instances, congressional districts) in a presidential primary election.[3]

While state election law determines the manner of delegate selection, the political parties determine the apportionment of delegates by state and the rules governing who will be selected as delegates. Both the Democratic and Republican parties adopt different rules governing delegate apportionment and selection.

In 1968, the Democratic national convention was characterized by numerous floor flights over the composition and representativeness of the delegations from various states.[4] A commentary from a general political science textbook explains some the background of the 1968 convention and the subsequent reforms in convention delegate composition:

> The open combat (at the Democratic convention in Chicago in 1968) between protesters and police outside of the convention stemmed from many factors, but it focused attention on

> the issue of whether conventions fairly represent the rank-and-file and whether they are open enough to rank-and-file participation and influence . . . .
>
> Before adjourning, the Democrats took two steps toward reform: They abolished the unit rule (under which all delegates must vote as a block if so instructed by a state party convention or by a majority of the delegation), and they also required that all delegates be selected during the year in which the convention is held . . . .
>
> Reformers were especially eager to open the party up to groups they felt had been prevented from playing their full role in the party--especially women, young persons and minority groups. In a bold move, it was decided in effect that state delegations to presidential conventions must include women, young people and minority group members in reasonable relation to the groups' presence in the population of the state.'[5]

The language "in reasonable relation to the groups' presence in the population of the state"--the rule which later became known as the McGovern rule (after Senator George McGovern, D-South Dakota)--deeply influenced state rules governing delegate selection. The 1972 "Rules of the Democratic Party of Texas" clearly reflected the national Democratic party's representational reforms:

> Guidelines for Representation on the Delegation
>
> The Convention (state presidential) shall make every feasible effort to encourage representation on the National Convention Delegation of young people, women, and minority groups in reasonable relationship to their presence in the population of the state.[6]

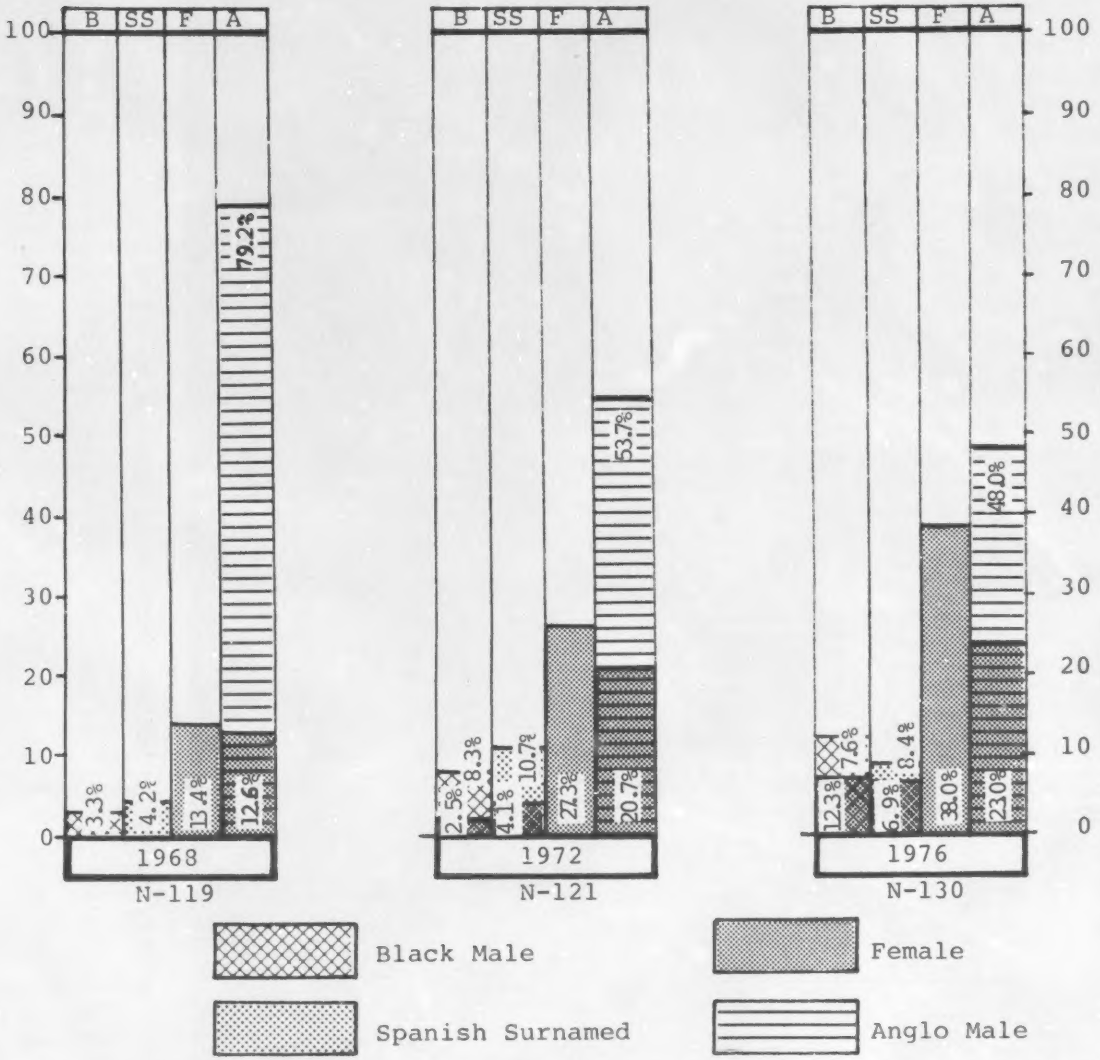
This reform provision was also incorporated in the Democratic state party rules which established guidelines for national convention delegate selection in the June, 1976 state presidential convention,[7] which selected the Texas delegation to the Democratic National Convention. The 1972 Democratic State Convention, following these guidelines, adopted a delegation quota based on racial/ethnic and sex population proportions in the state.[8] This was the only time that the Democratic party required both race and sex based quotas in county, state and national convention composition.

Figure 9-1 demonstrates the remarkable difference in the minority and female representational proportions among delegates selected to attend the 1968 and 1972 Democratic National Conventions. Spanish surname representation more than tripled between 1968 and 1972 (from 4.2% in 1968 to 14.8% in 1972); black representation did the same (from 4.1% in 1968 to 10.8% in 1972). Minority representation (both Spanish surname and black) increased by more than three times during the same four year period (from 8.3% in 1968 to 25.6% in 1972). Female representation showed a similar increase from 13.4% in 1968 to 27.3% in 1972. Spanish surname and black female representation increased significantly also from 1968 to 1972; Mexican American females gained 4.1%, while black female delegate proportions increased 1.7% (see Figure 9-1).

This dramatic change in minority and female representational proportions demonstrates the effect of rules or laws which mandate change.[9] There is little doubt that the quotas resulted in

FIGURE 9-1

MINORITY AND FEMALE REPRESENTATION FOR THE DEMOCRATIC NATIONAL CONVENTIONS, 1968, 1972 & 1976



SOURCE: Democratic Party Delegate Lists and Guide to Black Politics - 1976, Pt. 1.

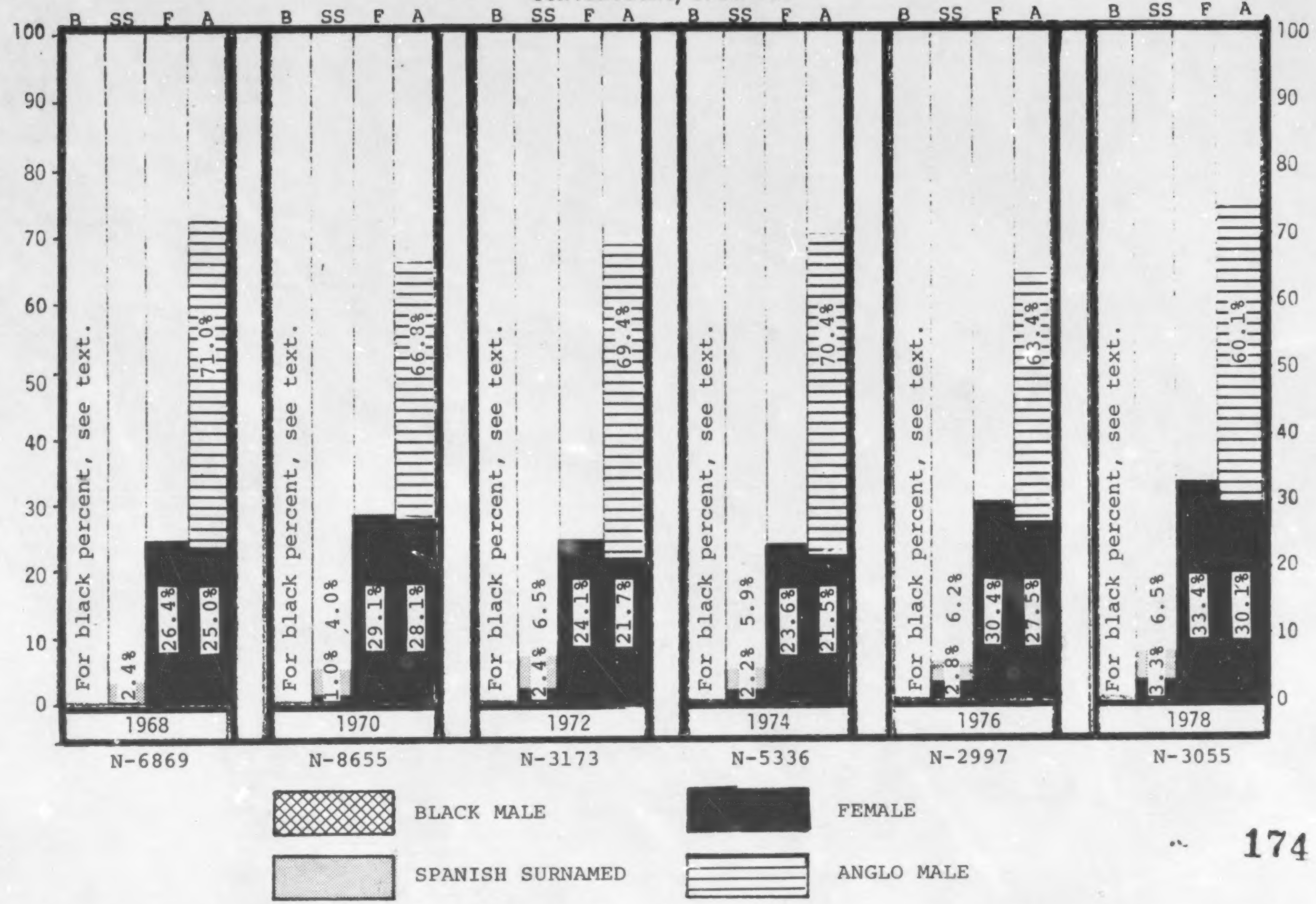
accomplishing the objective--significantly increased participation at the national convention level by minority men and women and by females generally.

The disasterous defeat of the Democratic presidential candidate, George McGovern, in the 1972 election strengthened the "backlash" of party regulars and other to the reform rules. Quotas were eliminated, but the affirmative language of the 1972 reforms was maintained.[10] Indeed, national Democratic party rules set as a 1976 standard of participation a percentage of minorities and women in proportion to their numbers in the state's Democratic electorate.[11] But the significant difference in the post-1972 rules dealt with enforcement: Failure to meet the new standard was a burden of proof which after 1972, had to be met by the challenger, not the state political party. And, a state political party's failure to achieve proportionate representation according to the new standard was not to be considered categorically as non-compliance.[12]

For the 1976 State Democratic Convention, a goal of one-third female delegates was adopted, along with "consideration of the equitable representation of minorities.[13] Figure 9-1 again illustrates the effect of these goals and the residual effect of the 1972 reforms. Minority female delegates increased in noticeable proportions--Spanish surname females from 4.1% to 6.9%, while black female representation increased from 2.5% to 7.6%.[14] Total female representation increased from 27.3% in 1972 to 38.5% in 1976. As Figure 9-1 demonstrates, minority males' representation decreased almost in proportion to the increase among minority women. Perhaps one explanation for this change might be the "advantage" in representational proportion which minority women provide. One minority female can be counted in the two categories, race/ethnicity and sex--a "two-for". Also, a more specific goal was set for female participation in 1976, while minority representation was to be "considered" according to the guidelines [it should be noted, however, that total minority representation from 1972 to 1976 increased from 25.6% (n=31) to 27.7% (n=36).][15]

The composition of the state Democratic conventions, 1968-78, generally increases in minority and female participation, like that of the Democratic presidential delegations. Figure 9-2 reflects the modest increase in Spanish surname male and female participation to state Democratic conventions, 1968-78.[16] The percentage changes from 1968-72 in Spanish surname delegate strength is approximately a four percent increase for males [from 2.5% (n=171) in 1968 to 6.5% (n=206) in 1972] and less than two percent for females [from 0.6% (n=46) in 1968 to 2.4% (n=75) in 1972]. The Spanish surname male delegate percentage and number slightly decreases in 1976, [to 6.5%, (n=187)] while the Spanish surname female percentage and number slightly increases in 1976 [to 2.8%, (n=84)] . Total female representation remained at approximately one out of four persons for the period 1968-1974; in 1976 and 1978, total female representation increased to approximately one out of three delegates (see Figure 9-2).

FIGURE 9-2
MINORITY AND FEMALE REPRESENTATION FOR DELEGATES TO THE STATE DEMOCRATIC CONVENTIONS, 1968-78.



Source: Democratic Party Delegate Lists.

Recall that the Democratic state conventions adopted the guidelines of the national party during this time frame. Note especially that the goal set in 1976 was one-third total female participation; this research indicates that the goal was almost accomplished in 1976 and was met exactly in 1978. In contrast, Spanish surname male representation decreased slightly in 1976 and climbed back to 1972 proportions in 1978 (6.5%, n=199).

Before discussing black representation to the state conventions, the total Spanish surname and total female proportions attending the Democratic state conventions, 1968-78 should be noted. Spanish surname male delegate strength was 4.8% (n=882) for the period 1968-1978, while the females of this ethnic group occupied only 1.7% (n=313) of the delegate totals. Total female representation was 27.6% (n=5,074). The Anglo male representational proportion was 67.6% (n=12,428),[17] while the Anglo female proportion was 25.9% (n=4,762). In sum, then, over one out of four persons attending the Democratic state conventions, 1968-78, were female; less than five percent were Spanish surname male and less than two percent were Spanish surname female. And, the increases in minority and female representation show the direct effect of changing national party guidelines (or, in some instances, a relaxing of these guidelines) during the decade. Finally, although Spanish surname delegate strength has increased over the eleven year period, the level of representation is still below the population percentage of Mexican Americans in Texas and considerably below the proportion of Mexican Americans in the Texas Democratic electorate. As has been the finding of research in every area of political participation investigated in this study, Spanish surname females fare poorly in representational proportions when contrasted to Spanish surname males for the period 1968-78.

Black delegate representation to the Democratic state conventions was more difficult to ascertain. A sampling[18] of black delegate strength during this period demonstrates the same general trend to increase as did the Spanish surname proportions. Table 9-1 illustrates the proportion of increase of black delegate strength from select rural and urban counties. Although these percentages must be viewed with caution in light of their partial nature, they too generally support the view that changed rules result in changed access and participation.

TABLE 9-1

A SAMPLE OF BLACK DELEGATE STRENGTH TO DEMOCRATIC STATE CONVENTIONS, 1968-78

1968	1970	1972	1974	1976	1978
2.1% (n=60)	2.6% (n=75)	9.2% (n=264)	10.4% (n=326)	11.5% (n=345)	9.1% (n=278)

Source: Delegate Lists, Select Texas Counties (for a listing of counties, see text, footnote 18).

Black delegate strength, especially in urban areas such as Dallas and Harris Counties, increased from 2.1% in 1968 to 9.2% in 1972. Black delegate strength again increased slightly from 1972 to 1976 from 9.2% to 10.4%. These proportions of black representation in 1972 and 1976 are not quite as high, however, as black delegate strength to the Democratic national conventions in 1972 (10.0%) and 1976 (12.3%). The rigor of the delegation credential process at the national convention, in contrast to the state convention delegate challenge process and the higher visibility of black persons in the national Democratic party might help to explain these percentage differences.

The significance of these findings are all the more meaningful in the context of an essentially Democratic one-party state. And, minorities overwhelmingly identify with the Democratic party in Texas. Two out of three blacks tend to identify strongly with the Democratic party in Texas, while forty percent of the Mexican Americans surveyed strongly identify with the party.[19] Almost nine out of ten in both minority groups affiliate with the Democratic party in terms of either strong or weak identification.[20] One party politics and Mexican American and black Democratic identification makes evaluation of minority participation in that party all the more important. That is not to say that participation in other parties--the Republican party or La Raza Unida--is not of significance. Rather, the Democratic party receives special attention in this research because historically it has been "the only game in town" and minorities have overwhelmingly identified with the party. Indeed, until the 1978 gubernatorial election of Republican Bill Clements.(The Republicans had not elected a governor since 1869.) Change is also reflected in the increasing numbers of counties wherein the Republican party has held primaries in recent years--1974 (135 counties), 1976 (178 counties), and 1978 (160 counties).[21] Political affiliations and fortunes in Texas may be changing during the upcoming decade of the Eighties, but Texas is still a Democratic state in statewide, county and local voting behavior.

The national Republican party was influenced by the turmoil within the Democratic party which produced the reform rules of 1972. During the 1972 Republican National Convention, the party did introduce and adopt new language which forbade discriminatory practices by national and state party organs. Rule 32 provided that:

> The Republican National Committee and the Republican State Committee or governing committee of each State shall take positive actions to achieve the broadest possible participation by everyone in party affairs, including such participation by women, young people, minority and heritage groups and senior citizens in the delegate selection process.[22]

Rule 29 of the newly adopted by-laws (1972) called for the appointment of a committee "broadly representative of the Republican party" to work with state parties in implementing Rule 32.[23]

In order to carry out the intent of what became known as the Rule 29 Committee, the Texas Republican party held hearings throughout the state during 1973 and 1974. The testimony generally was opposed to the use of any quota system as a vehicle for minority access and participation.[24] Rather, the general sentiment which the hearings elicited was a standard which encouraged participation by all groups. Rule 3 of the "Rules of the Republican Party of Texas"--both the 1972 and 1976 editions (the language in both years is identical)--was the extent of encouragement of widespread participation which the state party was willing to embrace. Rule

3, in 1972 and 1976, read as follows:

> Participation in any Republican convention or meeting including, but not limited to, any primary caucus, any meeting or convention held for the purposes of selecting delegates to a county, district, state or national convention shall in no way be abridged for reasons of sex, age, race, religion, color, or national origin.[25]

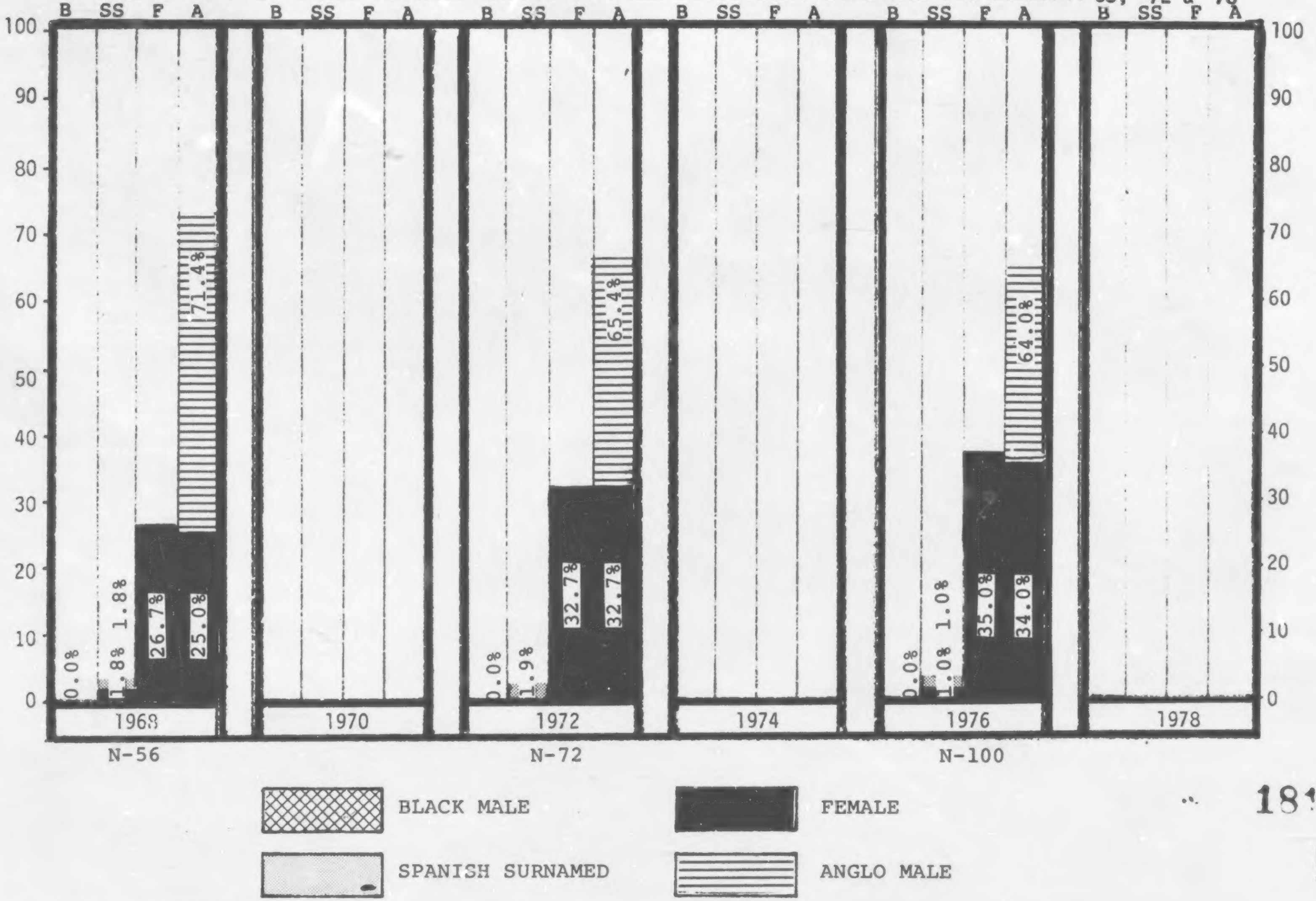
The prohibition against discrimination contained in Rule 3 of the Texas Republican party rules is in no way comparable to the affirmative content of the 1972 Democratic national party rules. The Texas Republican party rules do, however, require the participation of females in the national and state executive committee structure (as do the Democrats).

The results of the less directive position of the national and state Republican parties vis a vis minority participation are reflected in Figure 9-3. There have been no black delegates to the Republican party national convention during the years 1968, 1972 and 1976.[26] Given the numerical increase in delegates from 1968 to 1976, Spanish surname representation to national presidential nominating conventions has actually decreased over the eight year period. In any case, Spanish surname representation has never exceeded two percent (never over two Spanish surname persons in attendance). Thus, the lack of affirmative guidelines encouraging minority delegate participation apparently can be seen in these statistics.

Anglo female representation from Texas has increased to the Republican presidential conventions from 1968-76--from 25.0% (n=14)

FIGURE 9-3

MINORITY AND FEMALE REPRESENTATION FOR THE REPUBLICAN NATIONAL CONVENTION.'68, '72 & '78



Source: Republican Party Delegate Lists.

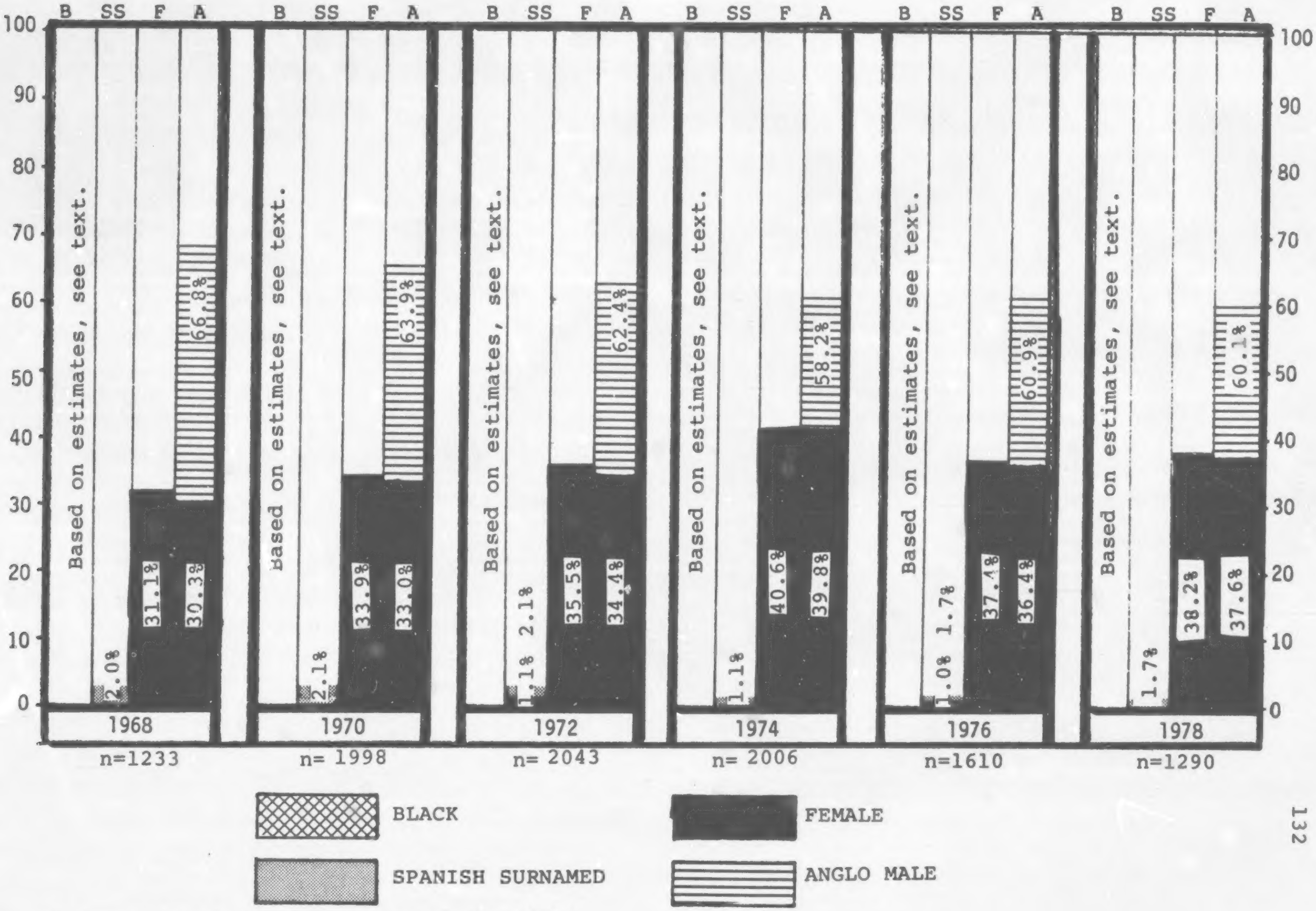
in 1968 to 34.0% (n=34) in 1976.

The state Republican conventions, 1968-78, show a Spanish surname delegate strength similar to the low proportions of the national presidential delegations. Figure 9-4 reveals a Spanish surname delegate mean percentage of 2.7% (n=282) attending six Republican state conventions, 1968-78. Although there was an increase of Spanish surname male representation from 1968 to 1972 [from 0.2% (n=20) to 2.1% (n=212)], the representational proportions decrease after 1972 (see Figure 9-4). Spanish surname female representation is a mean 0.9% (n=91) for the 1968-78 period. There has been no appreciable change in representational proportions for this group.

Black delegate representation to the Republican state conventions is based upon an estimate from individuals who have attended all six conventions, 1968-78. Republican party activists estimate that black representation has been about two percent for the entire eleven year period.[27] There may have been an increase of about one percent in more recent conventions. These estimates of black delegate attendance are very close to the Spanish surname attendance proportions for the same time period. This tends to add to their credibility.

Anglo female representation has been slightly over one-third of the delegate proportions, 1968-78 (a mean 35.6% for the period 1968-78). Total female representation has been increased from 31.1% (n=384) in 1968 to 38.2% (n=493) in 1978. The mean total female

FIGURE 9-4
MINORITY AND FEMALE REPRESENTATION FOR THE REPUBLICAN STATE CONVENTIONS, 1968-78



Source: Republican Party Delegate Lists.

representation is 36.5% (n=3679) for the period 1968-78. Anglo male representation has been a mean of 61.7% (n=6219) for the eleven year period.[28]

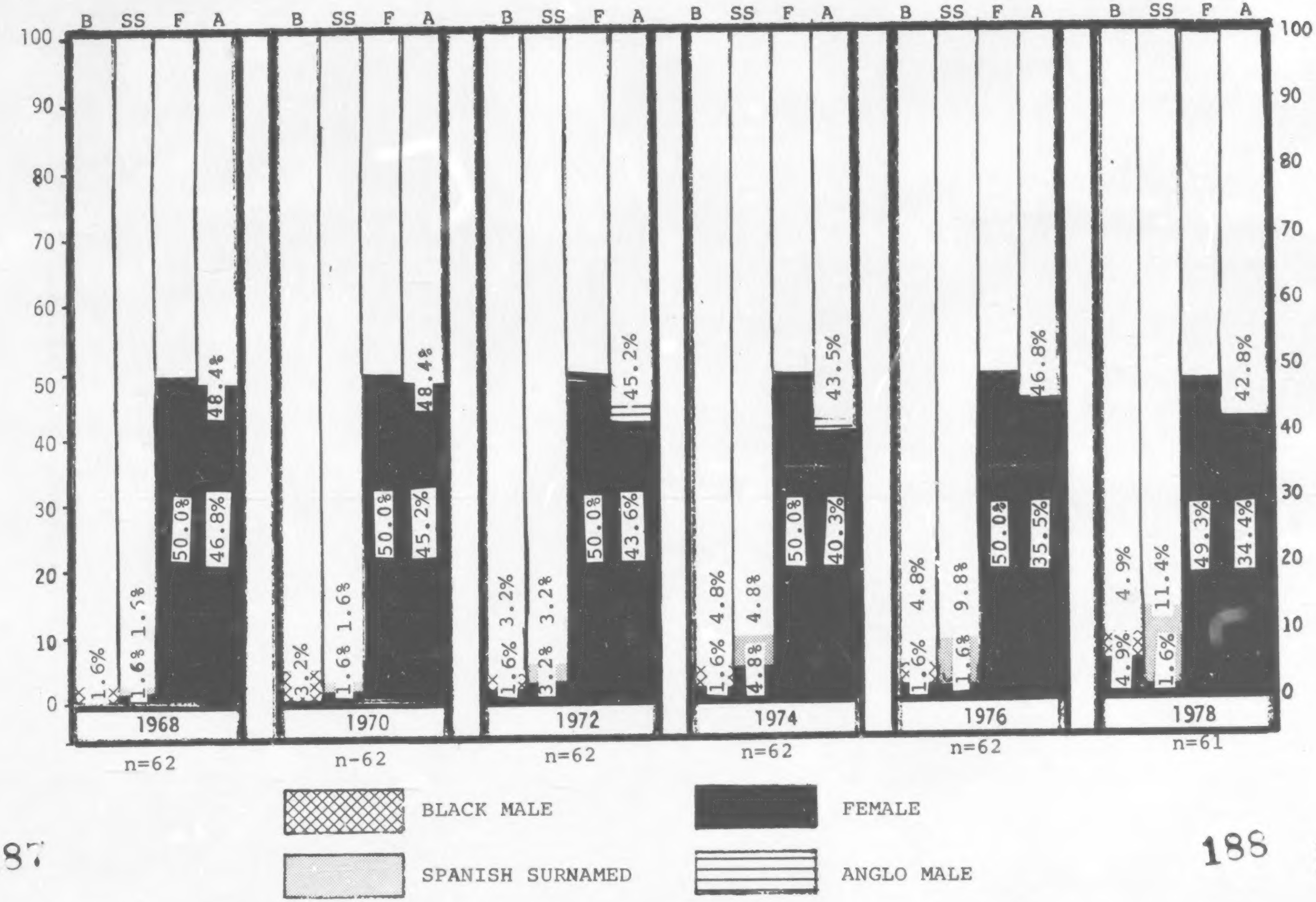
The sixty-two member state executive committees of both the Republican and Democratic parties in Texas are the statewide visible, internal organs of party functions and party administration. These entitites establish policy on a month-to-month basis between the biennial state conventions. Both parties require that this important party organ select a man and a woman from each of the thirty-one senatorial districts in the state to serve two year terms on these bodies. Although the executive committee membership is officially chosen by the state conventions, delegates from each senatorial district caucus to choose the man and woman to represent the district. Tradition requires that the executive committee members be personally acceptable to the Democratic governor or gubernatorial nominee.

The functions of the state executive committees are important. The executive committee has credential granting authority at the state conventions, which means that the convention membership itself can be influenced by the state executive committee membership. The executive committees also certify the names of the Democratic or Republican party nominees to county party officials. The committee canvasses the returns of the primary elections and generally works toward the election of party nominees of the respective parties.

Unlike the delegate selection process to the state and national conventions, state executive committee membership in both the Democratic and Republican parties in Texas requires that one out of two persons from each of the thirty-one senatorial districts must be female. Figures 9-5 and 9-6 confirm the results of that requirement. With a party mandate for female representation, the issue in state executive committee composition then becomes representation of Mexican Americans and blacks. Figure 9-5 demonstrates that Spanish surname representation in the Democratic State Executive Committees (DSEC), 1968-78, climbed to a high of 10.4% (n=7) in 1976; the mean percent during the period was 7.0% (n=29). Spanish surname male representation on the DSEC is over twice that of female participation for the 1968-78 period 5.4%, (n=20) to 2.4% (n=9) . Black representation on the DSEC has been a mean 5.4% (n=20) over the eleven year period. Black male participation has been 3.5% (n=13), while black female participation has been 1.9% (n=7). Thus, total minority representation on the DSEC has been 13.2% (n=49) for the 1968-78 period. Although there has been an increase in minority participation generally, probably as a response to the more affirmative national guidelines, minority gains on the DSEC are still not proportionate to Spanish surname and black population percentages within Texas.

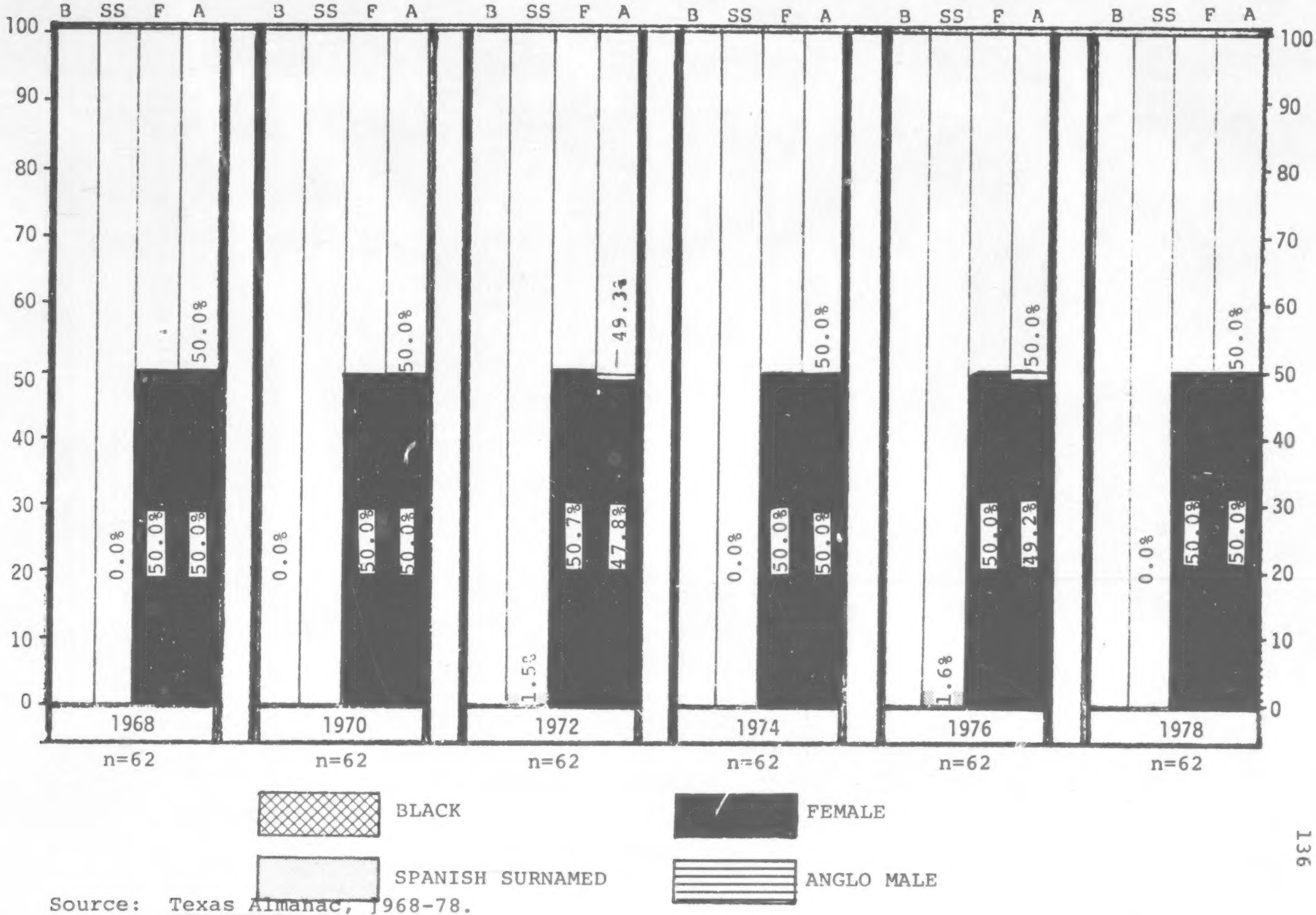
The positions of DSEC chairperson and vice-chairperson have been

FIGURE 9-5
MINORITY AND FEMALE REPRESENTATION TO THE DEMOCRATIC STATE EXECUTIVE COMMITTEE, 1968-78.



Source: Texas Almanac, 1968-78.

FIGURE 9-6
MINORITY AND FEMALE REPRESENTAITON FOR STATE REPUBLICAN COMMITTEE, 1968-78



Source: Texas Almanac, 1968-78.

analyzed separately. Black females were DSEC vice-chairpersons from 1972 to the present. A Spanish surname is currently serving on the DSEC Executive Committee (1978-80). These are the only minority persons found to have been represented on the Executive Committee ranks, 1968-78.

The Republican State Executive Committee (RSEC) has attained minimal minority representation during the period 1968-78--0.5% (n=2) Spanish surname male representation; there has been no Spanish surname female representation nor black representation on the RSEC (see Figure 9-6). There have been no minority persons in the chair and vice-chair positions of the State Republican Executive Committee, 1968-78.

In sum, this chapter on representation in the political party institutions and processes has graphically demonstrated (1) that the affirmative action guidelines adopted by the national and state Democratic party in 1972 had a direct and positive effect on increasing minority and female participation within the party decision-making processes; (2) that minority and female representation during the post-1972 reforms varies, in almost every instance, in direct relationship to the rigor of enforcement of minority and female participation goals; (3) in the absence of clear and directive affirmative action objectives by the national and state Republican party, minority representation in the Texas Republican party organization and decisional processes is very low; and, (4) political representation of minorities, and to a lesser extent women, in the Democratic and Republican parties is far below the proportions of these groups in the state's population and--for the

Democratic party--far below the proportions of these groups in the Democratic electorate in Texas.

CHAPTER 9

FOOTNOTES

[1] For historical instances of these exclusions, see Smith v. Allwright, 321 U.S. 649 (1944) and Terry v. Adams, 345 U.S. 461 (1953).

[2] Texas Election Code, Art. 13.58(a), 1968-69 and 1972-73.

[3] Texas Election Code, Art. 13.58(a), 1976-77.

[4] Joint Center for Political Studies, Guide to Black Politics, 1976 Pt. I, Democratic National Convention (Washington, D.C., 1976), 10.

[5] James M. Burns and Jack W. Peltason, Government By the People, 9th ed. rev. (New Jersey: Prentice-Hall, 1975), 344-45.

[6] Article IV, Sec. 4 (4a), 1972.

[7] Article V, Sec. D (7d), December, 1975.

[8] Interview with Bexar County Democratic Chairperson, Joyce Peters, April 28, 1979, San Antonio, Texas.

[9] The 1972 national guidelines accomplished their effect in two ways: (1) by evaluating an individual state's convention participation rules in the context of the national standards and (2) by refusing to seat delegations to the 1972 Democratic National Convention if the state were not in compliance. (see William J. Crotty, Political Reform and The American Experiment (New York: Thomas V. Crowell Company, 1977), Chapter 8.

[10] Crotty, Political Reform . . . American Experiment, 245-46.

[11] Ibid.

[12] Ibid.

[13] Interview, Joyce Peters, April 28, 1979, San Antonio, Texas.

[14] Although the actual number of persons which these percentages signify is not that large, Spanish surname females increased from five to nine persons, while Black females increased from three to ten persons.

[15] In early 1979, the national Democratic party adopted a goal of fifty percent female participation for the 1980 national

presidential nominating convention; again, "due consideration" is to be given to proportionate minority participation (Interview, Joyce Peters, April 28, 1979, San Antonio, Texas.)

It is interesting to note what was happening in other states in 1976. Texas was among only seven states nationally where black delegate representation increased to the Democratic national convention. The states were Illinois, Maryland, Michigan, Oklahoma, South Dakota, Texas and West Virginia (Joint Center for Political Studies, Guide to Black Politics--1976, Pt. 1, 28).

[16] Visual scans for Spanish surnames of the thousands of delegate names who attended state conventions, 1968-78, were conducted. Although the state Democratic party was very cooperative in this research undertaking, the availability of delegate lists for all of the counties or districts for all of the years was a problem. On the average, twenty counties' delegate lists were missing per year of analysis. Further, there were occasional portions of delegate lists missing. Nevertheless, the fact that the entire available lists were examined assures the general credibility of the findings.

[17] The number and percent of Anglo males is inflated by about three to five percent. The reason for this is that balcks are included in the Anglo male totals. As is explained in note eighteen below, black delegate strength is based upon a sample. It was thought not to be entirely accurate to subtract the sample from the Anglo male totals.

[18] The sample is based upon the delegate lists from select urban and rural counties. The counties were Austin, Bexar, Dallas, El Paso, Fort Bend, Gregg, Grimes, Harris, Harrison, Kaufman, Lubbock, Marion, Montgomery, Panola, Rusk, Travis, Smith Upshur, Waller and Washingotn. Individuals active in politics in these areas were consulted for black delegate identification. Although this method of identification does have shortcomings, it was the only means possible to identify black delegates on the state level. The findings, then, are considered to be generally accurate.

[19] Clifton McCleskey and Bruce Merrill, "Mexican American Political Behavior in Texas," Social Science Quarterly 53, no. 4 (March, 1973), 785-93.

[20] Ibid.

[21] Records from Texas Secretary of State, Election Division, Austin, Texas.

[22] As quoted in Crotty, Political Reform . . . American Experiment, supra., 257.

[23] Ibid.

[24] Interview (telephone) with Fed E. Gray, May 1, 1979, Pasadena, Texas.

[25] "Rules of The Republican Party of Texas," 3.

[26] Republican National Committee as reported in the Joint Center for Political Studies' Guide to Black Politics, 1976 Part II (Washington, D.C., 1976), 32.

[27] The estimates were made by former State Republican Committeeman Fred E. Gray, Pasadena, Texas and San Antonio City Councilman Van Henry Archer. Both attended all six state conventions.

[28] Note that the Anglo male proportions include black delegate proportions. The estimates of black participation percentages have not been deducted from the Anglo male totals. Thus, these totals stand to be in error by approximately two percent.

CHAPTER 10
THE IMPACT OF THE 1975 VOTING RIGHTS ACT ON MINORITIES IN THE TEXAS ELECTORAL SYSTEM

Texas and the Right to Vote [1]

Texas yields to no state in the area of voting rights violations. Even a cursory glance at the Supreme Court decisions relating to the abuse of voting rights reveals a large number of cases arising from challenges to Texas statutes. And, as was the case with most southern states, Texas has employed the extra-legal tactics of physical and economic intimidation to limit the use of the franchise by minorities.

When attempting to describe Texas' long train of voting abuses, one is faced with the imposing challenge of where to begin. The list is storied (see Chapter 1, supra., n. 3). For instance, Texas early established a poll tax as an impediment to voting. This was hardly unusual among the southern states. However, when the Twenty-fourth Amendment barred the use of such a tax in federal elections, Texas was one of only five states to remain resolute in its use at the state level (the tax was declared unconstitutional in United States v. Texas).[2]

For sheer stubborness however, Texas' attempts to maintain the white primary system has few rivals. In 1921, the Supreme Court seemed to imply that primary elections were "in no real sense" a part of the general electoral process.[3] As winning the Democratic primary in Texas was tantamount to winning the general election, the Texas Legislature decided to eliminate the minority vote by restricting participation in the primary elections to whites only.

In 1923, the Texas Legislature enacted an election law which provided that "in no event shall a Negro be eligible to participate in a Democratic party primary election held in the State of Texas." A black named Nixon was refused the right to vote in a 1924 primary election and brought suit against the election officials. The suit was dismissed at the state level, but the U.S. Supreme Court held that Nixon's 14th Amendment rights had been violated and reversed the state court.[4]

Within a few days of the decision, the Texas legislature re-enacted the article which had been nullified, but this time the State Executive Committee of any political party in Texas was authorized to fix the qualifications for participating in their primaries. The State Executive Committee of the Democratic Party quickly and not surprisingly adopted qualifications which prohibited non-whites from primary participation.

Nixon again attempted to participate in a primary and again was refused. The Supreme Court accepted his claim in Nixon v. Condon and declared that the State Executive Committee operated as a "representative of the State in the discharge of the State's authority."[5]

Hardly fazed by these decisions, the Texas legislature tried another approach. It repealed all statutes regarding party membership. Then, the State Democratic Convention resolved to limit party membership (and, by extension, primary participation) to whites only. Surprisingly, the Supreme Court found no constitutional infirmity in such action, declaring that membership in a political party and participation in its primaries were distinct from the right to vote for candidates in a general election.[6]

However, in 1941, the Court decided that a primary election was an integral part of the election process.[7] And, having unified the primary and general electoral processes, the Court wasted little time in overruling Grovey.[8] In Smith v. Allwright, the Court stated that "... the right to vote in such a primary for the nomination of candidates without discrimination by the state, like the right to vote in a general election, is a right secured by the Constitution."[9]

Texas made one final attempt to resurrect the white primary. This took the form of a "pre-primary" primary held by the Jaybird Democratic Association. The winner of the "pre-primary" would then run in the regular Democratic primary, assured of winning. The Jaybird Association, of course, limited its membership to whites only. The Supreme Court struck this action down in 1953.[10]

In Beare v. Smith,[11] a federal district court held unconstitutional the restrictive Texas annual voter registration act on the grounds that the burden of annual voter registration fell heaviest on Mexican American and black citizens. Although most of the legal attempts by Texas to restrict the franchise have focused on blacks, Mexican Americans also have been the victims of systematic and invidious state actions. In addition to the techniques already discussed, most of which were applicable to Mexican Americans as well as blacks, Texas has required disclosure of membership lists of civil rights organizations[12] (with economic sanctions frequently directed against those whose names appeared on the lists): these practices were still employed during the Seventies. Burdensome filing fees were established for those seeking public office and election rules were altered so as to create disadvantages for minority candidates.

In addition to these techniques, Mexican Americans also have faced language discrimination which has hampered their ability to vote. Until 1971, Texas refused to assist non-English speaking voters in casting their votes. These actions contributed to a chilling political climate which operated, as the Supreme Court said in 1973, ". . . to effectively deny Mexican Americans access to the political processes in Texas even longer than the blacks were formally denied access by the white primary."[13]

While some of these abuses have been corrected by litigation, many remain. As noted earlier, it is difficult to choose where to begin a chronicle of Texas voting rights abuses. It similarily is difficult to select a stopping point, for many abuses continue today. Before outlining the steps which brought Texas under the Voting Rights Act coverage, it should be observed that never has the Texas legislature acted to encourage minority political participation in the absence of a federal court order to do so, or where such an order was inevitable.[14]

Texas was not one of the states originally covered by the 1965 Voting Rights Act. Although there appears to be no concrete explanation for this, many observers believe that President Lyndon Johnson may have intervened to restrict the major sections of the VRA to the deep southern states.

As described above, however, Texas had a legitimate claim to such coverage. In 1974, continuing allegations of voting irregularities in several south Texas counties led Bishop Patrick F. Flores to request assistance from the U.S. Justice Department's Civil Rights Division. Bishop Flores was the chairperson of the Texas Advisory Committee of the U.S. Commission on Civil Rights. The Justice Department informed Bishop Flores that all its attorneys were occupied supervising states covered by the VRA and did not send assistance.

The message was obvious: extend the VRA's coverage to Texas. The Mexican American Legal Defense and Educational Fund (MALDEF), and members of the U.S. Commission on Civil Rights Texas Advisory Committee were invited to testify before the House and Senate committees debating the extension of the VRA in 1975. These witnesses were aided in their efforts by U.S. Representative Barbara Jordan (D-Texas). Their testimony was supported by imposing documentation of voting rights abuses, and, combined with a lack of response from Texas officials, the testimony contributed to the ease with which the House agreed to extend the VRA's coverage to Texas.[15]

The Senate debates were marked by the appearance before the Senate committee of Texas Secretary of State, Mark White. White's opposition to the extension of the VRA's coverage to Texas was intense, but he was unable to rebut successfully the pro-extension arguments. On August 6, 1975, President Gerald Ford signed the legislation extending the coverage to Texas (and selected other states).

The VRA was not viewed as a panacea by its supporters, but rather as another device which might be used to break down the long-standing tradition of voting rights abuses which existed in Texas. We turn now to an analysis of the impact of the Act.

The Voting Rights Act Defined

The 1965 Voting Rights Act (VRA), as amended in 1970 and 1975, has changed the traditional relationship of the federal government and the states in the area of conducting elections. Through a complex and interdependent set of procedures and monitoring devices, Congress attempted to protect the minority citizens' voting rights in areas throughout the United States. This study will not attempt to evaluate each section of the VRA; rather, it will focus on select portions of the Act. However, one general statement of the Voting Rights Act's coverage has been described thusly:

> (1) The Voting Rights Act prohibits the use of literacy tests and other devices as qualification for voting in any Federal, State, local, general, or primary election anywhere in the United States;
>
> (2) assures that residence requirements will not prevent citizens from voting for President and Vice President anywhere in the United States;

(3) authorizes the Federal courts to apply the special provisions to jurisdictions not already covered by them;

(4) provides for assigning Federal examiners to register voters and Federal observers to watch voting in many States and counties covered by the special provisions of the law;

(5) requires Federal clearance of new registration and voting laws and procedures in many States and counties covered by the special provisions of the law; and,

(6) requires the use of languages other than English for registration and voting in certain States, counties, and towns covered by the minority language provisions of the law.[16]

More specifically, federal review by the Department of Justice under the so-called preclearance provision under Section 5 has been described as one of the Act's most important and effective provisions.[17] Section 5 of the Act requires:

> . . . covered jurisdictions to submit all changes in laws, practices, and procedures affecting voting to either the U.S. Attorney General or the U.S. District Court for the District of Columbia for a ruling that the changes do not discriminate against racial or language minorities. Entirely new electoral provisions in covered jurisdictions are also considered changes and must be cleared under Section 5. Jurisdictions almost always submit their changes to the Attorney General, rather than to the court. Section 5 coverage is automatic: it does not require a separate decision by the Attorney General as use of examiners or observers does. Any jurisdiction covered by the original special provisions is immediately subject to the Section 5 review requirement.

> Under section 5, it is the responsibility of the covered jurisdiction to submit its changes and prove that they are not discriminatory. It is a violation of the Voting Rights Act for a jurisdiction to enforce or administer a change in electoral laws and practices that has not received section 5 clearance from the Attorney General or the court. The section 5 requirement applies to States covered as a whole, to the political subdivisions that are covered separately. All political units within such covered jurisdictions (such as cities, towns, school districts, etc.) are also subject to section 5.[18]

The covered jurisdictions, those states or lower political subdivisions covered wholly or partially by the VRA, which must submit changes in electoral laws and practices, are contained in Figure 10-1.

The kinds of changes which must be submitted under Section 5 for preclearance include:

(1) amendments (affecting voting) to a State constitution or a city charter

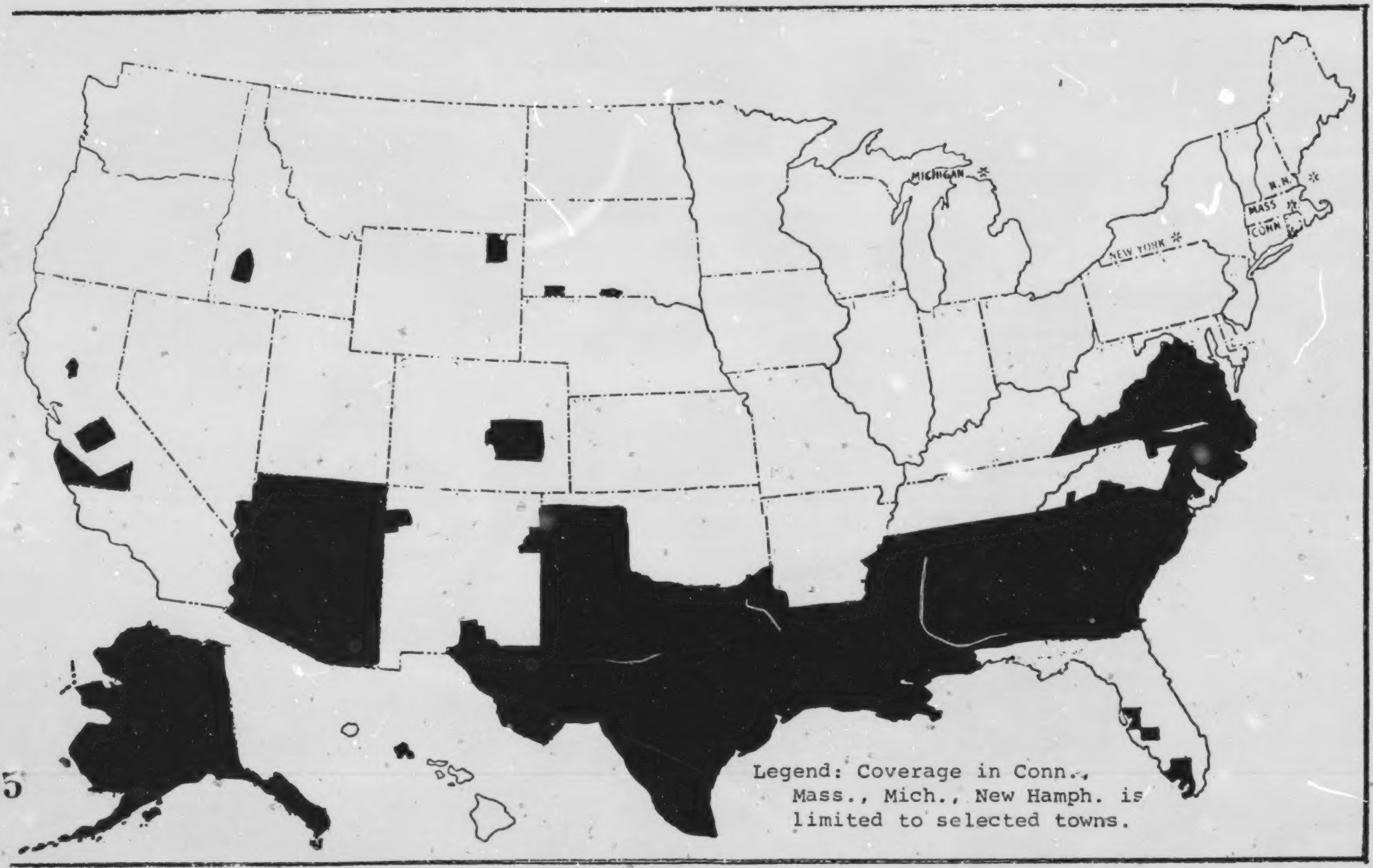
(2) annexations

(3) changes in the qualifications for, or the times and places of, registration and voting (including changes in a voter's polling place)

(4) changes in precinct boundaries

(5) changes in the qualifications for, or terms of, offices

FIGURE 10-1
GEOGRAPHIC COVERAGE OF SECTION 5 OF VRA



Legend: Coverage in Conn., Mass., Mich., New Hamph. is limited to selected towns.

Source: Federal Register Vol. 41, No. 140 July 20, 1976, pp. 29998-30003 and United States Commission on Civil Rights, Using The Voting Rights Act (Washington, D.C.: U.S. Government Printing O[illegible].

(6) changes in the nature of offices (such as changing from elective to appointive, or the reverse, and changing the duties of an office)

(7) changes in the boundary lines for representative districts for such offices as city councils, school boards, county commissions, State legislature, and the U.S. Congress (including changing from several districts to one district for all representatives)

(8) provisions for bilingual or multilingual elections[19]

Section 5 Regulations, guidelines published by the Department of Justice, require that submitting jurisdictions must explain the purposes and impact of electoral changes, as well as supporting documents, demographic information and the past electoral history of that jurisdiction. Upon receipt of a submission, the Attorney General must act within sixty days--either granting or denying preclearance to the proposed change. Citizens and other interested groups have an opportunity to comment on proposed changes during the first thirty or forty days of the sixty day period. The Attorney General attempts to determine whether the proposed change adversely affects minority citizens' voting rights protected under the Act.[20]

Impact of the Voting Rights Act--1975-1978

For the purposes of this report, Section 5 coverage of the Voting Rights Act will be the prime focus of the impact analysis. The impact of the Voting Rights Act in Texas can be seen through an examination of (1) the amount and kind of changes submitted to the Justice Department by the State of Texas and its lower political subdivisions and (2) the geographical distribution of objections by the Justice Department to submitted changes in election law.

Texas leads all other states in the number of changes submitted to the Department of Justice under Section 5 with 8,248 (the submissions in Texas were made during the period October, 1975 to June, 1978). Table 10-1 reveals remarkable statistics for the thirteen year period 1965 to 1978; there have been a total of 20,659 election law changes submitted by states covered under the VRA. In a brief two and one-half year period, the State of Texas accounted for 39.9% of the total changes submitted. The State of Virginia, the state with the second largest number of submissions, has amassed 2,065 changes during the period 1965 to June, 1978; this number of changes, compiled by the State of Virginia during a thirteen year period constitutes 9.9% of the total number of changes submitted. Of course, the geographic size of Texas accounts for the extraordinarily high number of changes submitted to the Justice Department.

TABLE 10-1.

NUMBER OF CHANGES SUBMITTED UNDER SECTION 5 AND REVIEWED BY THE DEPARTMENT OF JUSTICE, BY STATE AND YEAR, 1965-JUNE 30, 1978

STATE	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	TOTAL
ALABAMA	1	0	0	0	13	2	86	111	60	58	299	349	153	45	1,177
ALASKA***	0	0	0	0	----	0	0	0	----	----	0	3	0	0	3
ARIZONA****	0	0	0	0	0	0	19	69	33	28	52	228	180	156	765
CALIFORNIA*	----	----	----	----	----	0	0	6	1	5	0	382	99	10	503
COLORADO*	----	----	----	----	----	----	----	----	----	----	0	12	4	32	48
CONNECTICUT**	----	----	----	----	----	----	----	----	----	0	0	0	0	0	0
FLORIDA*	----	----	----	----	----	----	----	----	----	----	1	57	8	44	113
GEORGIA	0	1	0	62	35	60	138	226	114	173	284	252	242	216	1,803
HAWAII*	0	0	0	0	0	0	0	0	0	0	0	6	0	0	6
IDAHO*	0	0	----	----	----	0	0	0	0	0	0	0	0	0	0
LOUISIANA	0	0	0	0	2	3	71	136	283	137	255	303	460	120	1,772
MAINE**	----	----	----	----	----	----	----	----	----	0	0	3	0	0	3
MASSACHUSETTS**	----	----	----	----	----	----	----	----	----	0	0	11	0	3	14
MICHIGAN**	----	----	----	----	----	----	----	----	----	----	0	1	0	0	1
MISSISSIPPI	0	0	0	0	4	28	221	68	66	41	107	152	114	58	859
NEW HAMPSHIRE**	----	----	----	----	----	----	----	----	----	0	0	0	0	0	0
NEW MEXICO*	----	----	----	----	----	----	----	----	----	----	0	65	----	----	65
NEW YORK*	----	----	----	----	----	0	4	----	----	84	78	106	96	22	390
OKLAHOMA*	----	----	----	----	----	----	----	----	----	----	0	1	0	0	1
NORTH CAROLINA*	0	0	0	0	0	2	75	28	35	54	293	125	183	103	898
SOUTH CAROLINA	0	25	52	37	80	114	160	117	135	221	201	419	299	100	1,924
SOUTH DAKOTA	----	----	----	----	----	----	----	----	----	----	0	0	0	0	0
TEXAS	----	----	----	----	----	----	----	----	----	----	249	4,694	1,735	1,570	8,248
VIRGINIA	0	0	0	11	0	46	344	181	123	186	259	301	434	180	2,065
WYOMING*	----	----	----	----	----	----	0	0	0	1	0	0	0	0	1
TOTALS	1	26	52	110	134	255	1,118	942	850	988	2,078	7,470	4,007	2,659	20,659

*Selected county (counties) covered rather than entire state.

**Selected town (towns) covered rather than entire state.

***Entire state covered 1965-1968; selected election districts covered 1970-1972; since 1975 entire state covered.

****Selected county (counties) until 1975; entire state now covered.

Source: U.S. Department of Justice

Table 10-2 demonstrates the type of changes which have been submitted for preclearance under Section 5. The overwhelming number of changes occur in three categories: (1) Election ordinance or legislation affecting the entire legal structure of an election system--from registration to the act of voting (5,931); (2) changes in polling place location (4,751) and (3) annexations (4,501). Election law changes, polling place location and precinct line changes constitute 73.5% of the total 20,659 changes submitted for preclearance under Section 5 from 1965 to June, 1978. Outside the context of a specific situation, it is difficult to evaluate which of these changes can be considered to have a greater effect on voter participation and the electoral system generally. Of course, however, statewide objections would impact voter participation on a much larger scale than an objection to a specific jurisdiction. Most of these changes will be contextually defined as to how they operate within the Texas political system below.

Under Section 5, Texas has sustained fifty-five objections to submitted changes under the 1975 VRA (see Table 10-3). This number of objections almost exceeds the total number of objections sustained by any single state from the period

TABLE 10-2.
NUMBER OF CHANGES SUBMITTED UNDER SECTION 5 AND REVIEWED BY THE DEPARTMENT OF JUSTICE, BY TYPE AND YEAR, 1965-JUNE 30, 1978

TYPE OF CHANGE	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	TOTAL
REDISTRICTING		2	4		12	25	201	97	47	55	53	335	79	21	929
ANNEXATION		1	2		2	6	256	272	242	244	571	1,499	939	483	4,501
POLLING PLACE		2	4	4	7	28	174	127	131	154	408	1,983	844	886	4,751
PRECINCT		2	9	7	11	22	144	69	55	81	82	608	266	150	1,489
REREGISTRATION			1			2	52	15	6	4	46	146	366	64	702
INCORPORATION			1				4	1	3	1	5	15	12	3	45
ELECTION LAW1/	1	18	24	96	67	105	226	332	258	442	620	1,831	1,094	837	5,931
BILINGUAL											22	780	171	121	1,093
MISCELLANEOUS2/				3	14	8	15	26	99	12	65	168	150	41	607
NOT WITHIN THE SCOPE OF SECTION 5		1	7		21	59	46	3	9	15	206	105	86	53	611
TOTALS	1	26	52	110	134	255	1,118	942	850	988	2,078	7,470	4,007	2,659	20,659

NOTE: These figures are based on computer tabulations. The computer program is limited to the above general classifications.

1/ Ordinance or other legislation affecting election laws.

2/ Miscellaneous change not included in the above classifications.

Source: U.S. Department of Justice

Table 10-3
SECTION 5 OBJECTIONS TO TEXAS SUBMISSIONS--OCTOBER, 1975--JUNE, 1978.

STATEWIDE	OBJECTION	TOTAL	MEXICAN AMERICAN	BLACK
Texas	S.B. 300	11,196,730	2,059,671 (18.4%)	1,395,853 (12.4%)
	Statewide Reregis. Purge	11,196,730	18.4%	12.4%
	S.B. 11 Primary Finance	11,196,730	18.4%	12.4%
COUNTY	OBJECTION			
Angelina Co. (Lufkin ISD)[a]	Numbered Posts Majority Requirement	32,554	N.A.	N.A
Aransas Co.	Redistricting Commissioner's Precinct	8,902	26.6%	4.6%
Atascosa & Bexar Co. (Somerset ISD)	Numbered Posts	6,861	N.A.	N.A.
Bee (Pettus ISD)	Numbered Post	2,396	N.A.	N.A.
Bexar (San Antonio)[b]	Annexations	830,460 740,000	45.27% 53.1%	6.8% 8.5%
Brazoria Co. (Clute)	Majority Vote Requirement			
Brazos Co.	County Commissioner Reapportionment	57,978	10.8%	16.7%

(a) Total school district populations taken from Municipal Advisory Council of Texas, Special Report No. 130: School Districts' Population, 1978 (1978 population estimates). (Austin, Texas: March, 1979).

(b) Total population and racial/ethnic proportions taken from U.S. Bureau of Census, Census of Population: 1970, Subject Reports. PC (2-1D) Persons or Spanish Surname Places 10,000 or More or Census of Population: 1970, Vol. 1, Characteristics of Population, Part 45, Texas - Section 1.

COUNTY	OBJECTIONS	TOTAL	MEXICAN AMERICAN	BLACK
Caldwell (Lockhart)	Majority Vote Requirement	6,489	N.A.	14.5%
Caldwell (Luling)	Form of Government	4,719	N.A.	16.1%
Caldwell	Redistricting	21,178	32.4%	21.7%
Caldwell (Prairie Lea ISD)	Numbered Post	953	N.A.	N.A.
Cherokee (Rusk)	Numbered Post	5,000	2.2%	
Comal (Comal I.S.D.)	Numbered Post	14,351	N.A.	N.A.
Crockett	Commissioner's Precinct Redistricting	3,885	37.1%	2.8%
Crosby (Ralls ISD)	Majority Vote Requirement	3,289	N.A.	N.A.
Deaf Smith (Hereford ISD)	Numbered Post: Majority Vote Requirement	19,773	N.A.	N.A.
Edwards	Commissioner's Precinct Redistricting	2,107	43.8%	0.3%
Floyd (Lockney ISD)	Majority Vote Requirement	4,135	N.A.	N.A.
Fort Bend	Polling Place Location	52,314	26.6%	16.9%
Fort Bend (Lamar CISD)	Bilingual Oral Assistance Program	27,979	N.A.	N.A.

COUNTY	OBJECTION	TOTAL	MEXICAN AMERICAN	BLACK
Frio	Commissioner's Precinct Redistricting	11,159	69.1%	1.1%
Galveston (Texas City)	Numbered Post	38,908	11.0%	20.5%
Harris (Westheimer ISD)	Trustee Election Tax Election Bond Election Election Procedure Polling Place Location	N.A.	N.A.	N.A.
Harris	Polling Place Location	1,741,972	10.7%	20.2%
Harris	Election Date	1,741,972	10.7%	20.1%
Harrison (Marshall ISD)	Majority Vote Requirement	26,302	N.A.	N.A.
Jefferson	State Legislature Redistricting	244,773	4.5%	24.8%
Jefferson (Neches ISD)	Majority Vote Requirement Numbered Post	1,185	N.A.	N.A.
Jefferson	Commissioner's Precinct Redistricting	244,773	4.5%	24.8%
Jefferson (South Park ISD)	Numbered Post	56,804	N.A.	N.A.
Jefferson (City of Port Arthur)	Consolidation of Lake View and Pear Ridge with Port Arthur: City Redistricting	57,371	6.6%	40.29%
Jim Wells (Orange Grove)	Polling Place Location	33,032	64.0%	1.2%
	Numbered Post	N.A.	N.A.	
Kaufman Co. (Forney)	Post	N.A.	N.A.	N.A.

COUNTY	OBJECTION	TOTAL	MEXICAN AMERICAN	BLACK
Liberty (Liberty ISD)	Numbered Post	9,151	N.A.	N.A.
Medina	Reapportionment of Commissioner's Precinct	20,249	48.5%	1.9%
Midland (Midland ISD)	Numbered Post Majority Vote Requirement	69,945	N.A.	N.A.
Moore (Dumas ISD)		12,350	N.A.	N.A.
Navarro (Corsicana ISD)	Numbered Post Majority Vote Requirement	21,174	N.A.	N.A.
Nueces	State Legislature Redistricting	237,544	43.5%	4.6%
Nueces	Reapportionment Commissioner's Precinct	237,544	43.5%	4.6%
Reeves (Pecos City)	Numbered Post	N.A.	N.A.	N.A.
Smith (Chapel Hill ISD)	Numbered Post	11,589	N.A.	N.A.
Smith (Tyler and Woodlville)	Redistricing Annexation	57,770 (Tyler)	2.4%	14.1%
Tarrant	Redistricting State Legislature	716,317	6.0%	11.3%
(also Fort Worth ISD)	At-large System to "mixed" Electoral System (At-large and single member districts); staggered terms of election	321,195	N.A.	N.A.

COUNTY	OBJECTION	TOTAL	MEXICAN AMERICAN	BLACK
Trinity (Trinity ISD)	Numbered Post	3,358	N.A.	N.A.
Tyler (City of Woodville)	Numbered Post	N.A.	N.A.	N.A.
Uvalde	Commissioner's Precinct Redistricting	17,348	50.7%	1.8%
Victoria (Victoria and Mission ISD)	Consolidation of two school districts	55,621 (Victoria ISD) 22,602 (Mission ISD)	N.A.	N.A.
Waller	Commissioner's Precinct Redistricting	14,285	3.5%	52.6%
Waller ISD	Election Date for Trustees	7,136	N.A.	N.A.
Ward (Monahans)	Numbered Post City Council	8,333	N.A.	4.6%
Willacy (Raymondville ISD)	Polling Place Location	10,043	N.A.	N.A.
Wood (Hawkins ISD)	Numbered Posts	2,927	N.A.	N.A.
Zavala (Southwest Texas Jr. College District)	Polling Place Location		N.A.	N.A.

SOURCE: Computerized list of Section 5 Objections, Department of Justice, Voting Rights Section, June, 1978.

TABLE 10-4
NUMBER OF SUBMISSION OBJECTIONS BY STATE
FROM AUGUST 6, 1965 to JUNE 30, 1978

STATE	1965-70	1971	1972	1973	1974	1975	1976	1977	1978	TOTAL
Alabama	11	2	6	1	2	5	10	1	0	38
Arizona (note a)	0	0	0	1	0	1	1	0	0	3
California (note a)	0	0	0	0	0	0	1	1	0	2
Georgia	4	5	11	8	9	12	7	7	2	65
Louisiana	2	19	8	6	2	3	2	1	1	44
Mississippi	4	16	4	7	2	9	5	6	0	53
New York (note a)	0	00	0	0	1	0	0	0	0	1
North Carolina (note a)	0	6	0	0	0	3	0	2	1	12
South Carolina	0	0	4	3	14	1	8	5	2	37
Texas	0	0	0	0	0	2	28	12	13	55
Virginia	1	5	1	0	3	1	0	0	0	11
TOTAL	22	53	34	26	33	37	62	35	19	321

a/ Selected county(ies) covered rather than entire State.

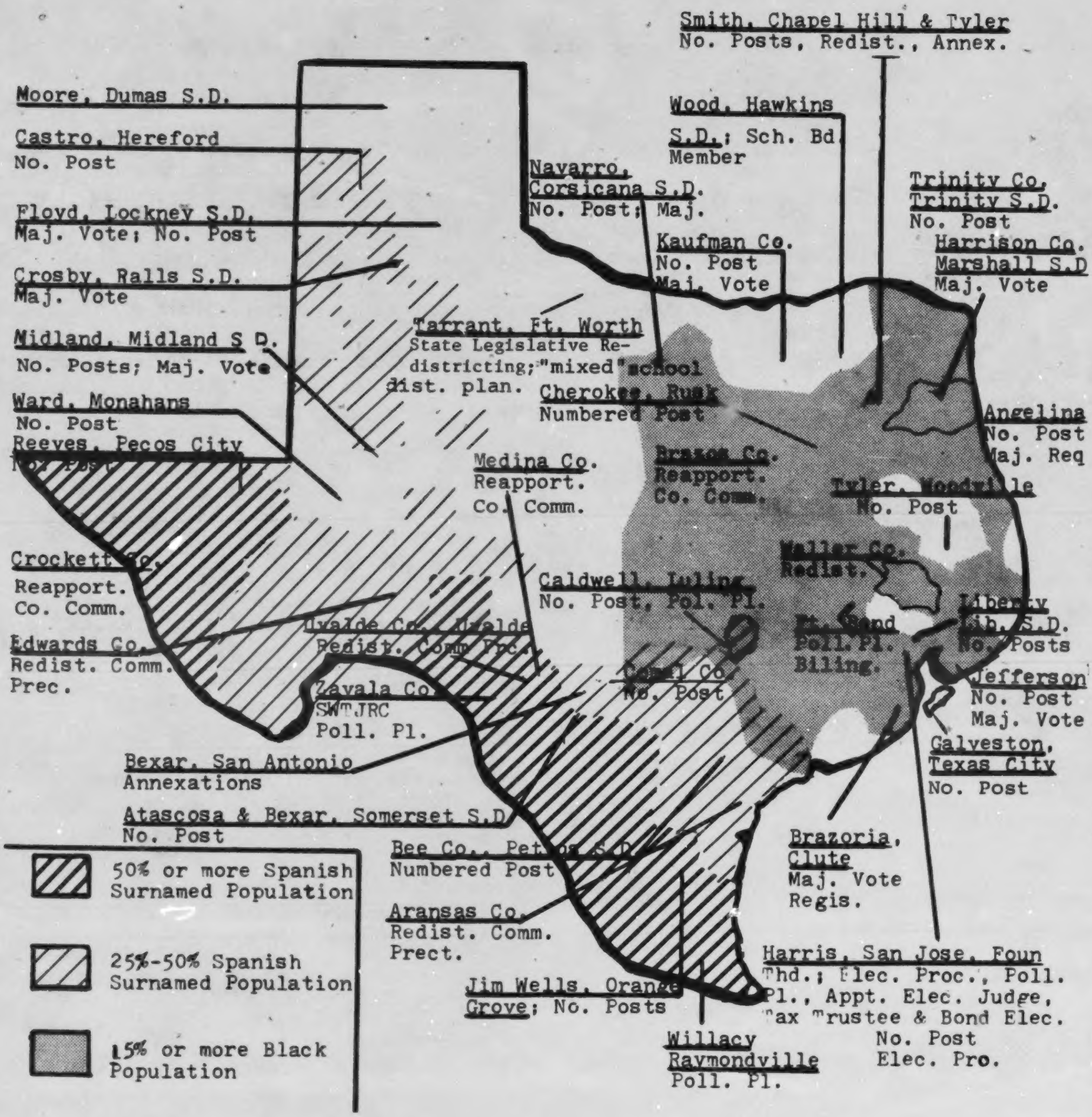
Source: U. S. Department of Justice , Voting Rights Section.

1965-1978; of course, Texas has been a covered jurisdiction for only two and one-half years. Table 10-4 demonstrates the number of objections sustained by states from the period 1965-78. The relatively large number of objections undergone by Texas stands in marked contrast to the statistics on objections registered in her (Texas') sister states. Again, geographic size and the retroactive provision of the VRA may partially explain the Texas situation; however, the legal history of exclusion of Mexican American and black voters in Texas also sheds light on the character of election changes submitted by Texas under the VRA.[21]

The geographic distribution of the objections in Texas is demonstrated on Map 10-1. Again, there appears to be an association between objections and those areas of Mexican American and black population concentration within the state. With few exceptions, objections to election law changes have occurred in counties with a majority of Mexican Americans and in counties with a near majority black population.

Objections to the numbered place[22] device in Texas elections, the majority run-off provision,[23] and county commissioner redistricting[24] are the kind of election

MAP 10-1
GEOGRAPHIC DISTRIBUTIONS OF SECTION 5
OBJECTIONS IN TEXAS 1975-JUNE, 1978


Smith, Chapel Hill & Tyler
No. Posts, Redist., Annex.
Moore, Dumas S.D.
Castro, Hereford
No. Post
Floyd, Lockney S.D.
Maj. Vote; No. Post
Crosby, Ralls S.D.
Maj. Vote
Midland, Midland S.D.
No. Posts; Maj. Vote
Ward, Monahans
No. Post
Reeves, Pecos City
No. Post
Navarro, Corsicana S.D.
No. Post; Maj.
Wood, Hawkins S.D.; Sch. Bd Member
Trinity Co., Trinity S.D.
No. Post
Kaufman Co.
No. Post
Maj. Vote
Harrison Co., Marshall S.D
Maj. Vote
Tarrant, Ft. Worth
State Legislative Redistricting; "mixed" school dist. plan.
Cherokee, Rusk
Numbered Post
Angelina
No. Post
Maj. Req
Medina Co.
Reapport.
Co. Comm.
Brazos Co.
Reapport.
Co. Comm.
Tyler, Woodville
No. Post
Waller Co.
Redist.
Crockett Co.
Reapport.
Co. Comm.
Caldwell, Luling
No. Post, Pol. Pl.
Edwards Co.
Redist. Comm.
Prec.
Uvalde Co., Uvalde
Redist. Comm Prc.
Ft. Bend
Poll. Pl.
Biling.
Liberty
Lib. S.D.
No. Posts
Comal Co.
No. Post
Zavala Co.
SWTJRC
Poll. Pl.
Jefferson
No. Post
Maj. Vote
Galveston, Texas City
No. Post
Bexar, San Antonio
Annexations
Atascosa & Bexar, Somerset S.D
No. Post
Bee Co., Pettus S.D.
Numbered Post
Brazoria, Clute
Maj. Vote
Regis.
Aransas Co.
Redist. Comm.
Prect.
Harris, San Jose, Foun Thd.; Elec. Proc., Poll. Pl., Appt. Elec. Judge, Tax Trustee & Bond Elec.
No. Post
Elec. Pro.
Jim Wells, Orange Grove; No. Posts
Willacy Raymondville
Poll. Pl.
50% or more Spanish Surnamed Population
25%-50% Spanish Surnamed Population
15% or more Black Population

changes which sustain objections most frequently. However, objections to Texas electoral changes have also occurred in the area of city annexations,[25] polling place locations,[26] portions of a statewide voter re-registration statute,[27] Texas legislation establishing single member district boundaries in several Texas counties,[28] a statewide provision governing primary election finance[29] and one objection governing failure to provide bilingual oral assistance.[30]

The impact of the objections in Texas under Section 5 can be evaluated in several ways. First, the total population, including the Mexican American and black populations, of those political jurisdictions sustaining objection to election law changes can be ascertained. Table 10-3 informs us that the statewide objections in Texas impact 2,059,671 Mexican Americans (18.4% of Texas' 11,196,730 persons) and 1,395,853 blacks (12.4% of the total Texas population). Texas has more Mexican Americans residing within its borders than any other jurisdiction totally covered under Section 5 of the VRA. Numerically, there are more Blacks in Texas than in any other wholly covered jurisdiction throughout the nation.

The countywide, citywide and school districtwide populations cited in Table 10-3 illustrate the _minority population ranges_ within which objections have taken place. Most objections in Texas have taken place in jurisdictions with not fewer than ten percent nor more than sixty-five percent Mexican American and black population. This minority population range may be meaningful to those decision-makers in the submission-objection process in that the effect of legal changes can most easily be discerned among these percentage ranges of Mexican Americans and blacks, i.e., if there is less than a ten percent minority population, the election change may be seen as having no effect, while a high concentration of minority population may make an evaluation of a particular election change difficult. Further monitoring and exploration of the meaning of this apparent range of minority population which appears conducive to Section 5 objections is needed. The tendency of the Justice Department to scrutinize carefully jurisdictions with high proportions of minority populations and the consequent pattern of Section 5 objections reinforces the V.O. Key "black belt thesis" introduced in Chapter One of this study.

In addition to the population impacted by objections under the VRA and the total number and kind of objections, we need to investigate the effect of Section 5 objections on the voting strength and future political destinies of Mexican American and black voters in Texas. Although Texas election officials have claimed a minimal impact of the Voting Rights Act in their state, the fact remains that fifty-five objections is an extraordinary number within a single state from 1975 to 1978, or relative to other covered jurisdictions from 1965-1978. If Texas had sustained state and/or federal court decisions in a two and one-half year period which declared unconstitutional fifty-five state election law provisions, could anyone seriously claim little or no impact on the electoral system? The conclusion of this study is that this record is a measure of the substantial impact of the VRA in Texas over a relatively brief period of time.

But what are the effects of the VRA on minority voting strength and the future of Mexican American and black representation in Texas? This is a difficult determination to make for certain election changes (e.g., the more immediate impact of an objection to a polling place location change is difficult to ascertain). However, for other objections, the impact is more immediate and more readily seen. We have assumed that legal structures which define the "rules of the game" do affect the electoral position and strength of voting groups. More specifically, Mexican American and black voting strength and representation has benefited, and stands to benefit more immediately and more visibly, as a result of section 5 objections. The situations described below are intended to demonstrate the effect of section 5 objections in select areas within the Texas electoral system.

(1) Texas Senate Bill 11 was passed during the Sixty-fifth legislative session in 1975. The statute at issue concerned a change in the percentage of total votes cast for governor

required for a political party to become eligible for State primary election financing. The legislature changed the percentage of total votes cast for governor required for a political party to become eligible for State primary election financing. The legislature changed the percentage required for eligibility on the ballot and to financing from 2.0% to 20.0%. Obviously, third parties which received less than 20.0% of the total vote cast for governor in the preceeding election would be adversely affected.

A reconstruction of the political setting would reveal that one third party--the primarily Mexican American La Raza Unida Party (RUP)--had garnered 214,118 votes (6.28%) of the general election total votes cast for governor in 1972. Although a Republican gubernatorial candidate had not won election in Texas since 1869, the RUP candidate almost "elected" a Republican due to the close race between Dolph Briscoe (D) (47.91%) and Hank Grover (GOP) (44.99%). The RUP also did well in a number of local races as well. The dominant Democratic party, going through the Democratic legislature, was successful in securing legislation which would (a) reduce the visibility of RUP by excluding the party from the primary election ballot and (b) deprive the party of financial reimbursements for primary election costs. This would effectively hamper the growth of RUP as a viable political organization.

The United States Attorney General interposed an objection to this change in January, 1976. The effects of this objection are very meaningful to the political processes in Texas: (a) Organization and maintenance of viable third parties is made more feasible as regards finances and visibility gained from a place on the ballot. (b) Mexican Americans--or any Texans--choosing to endorse RUP through the ballot box are insured the continued existence of their choice, at least they are insured that their party choice will not die as a result of restrictive legal structures. (c) RUP was allowed to continue to operate as a political organization under legal structures more reasonable to the continued life of a political party. Certainly the effect of this objection is analogous to the legal barriers--held unconstitutional--that Texas erected against minority expression and participation earlier in this century.

(2) Frio County is another specific Section 5 objection which is representative of the county commissioner precinct objection in Texas. County commissioners are elected in Texas from single member districts throughout the State's 254 counties. The possibility of malapportioned or racially gerrymandered precinct lines is eminent in many of the State's counties. Frio County,

in rural South Texas, (11,159 persons) is 70.0% Mexican American in population, yet, due to racially gerrymandered commissioners precinct lines, has elected only one Mexican American county commissioner. On the basis of a demonstrated overconcentration of Mexican American voters in one commissioner precinct, the Attorney General interposed an objection to changes in precinct lines submitted by Frio County.

The effects of this objection have not yet been fully realized; however, we can expect (a) more equitably drawn county commissioner precincts which reflect the 70.0% Mexican American population and (b) an enhancement of the heretofore diluted Mexican American voting strength. The same effects can be expected in the other Texas counties which have sustained objections of this kind (Uvalde, Crockett, and Waller Counties).

In concluding this section, we have seen that Texas has far exceeded her sister states (in a brief period of time) in changes submitted under Section 5 and in objections sustained under Section 5. Further, we have seen specific instances--statewide, within counties and within cities--wherein objections have altered a condition of dilution in the voting strength of minority groups in Texas. Hence, our analysis indicates that the VRA has impacted the Texas electoral system on a scale, the effects of which are unparalleled, throughout the history of the VRA.

Bilingual Requirements and Administration Under the Voting Rights Act.

The 1975 amendments to the Voting Rights Act established certain coverage and protections for linguistic minorities throughout the Southwest and the nation. According to the interpretive guidelines published in the Federal Register, the purposes of the language provisions are:

> (1)...to require certain states and political subdivisions to conduct elections in the language of certain 'language minority groups' in addition to English;
> (2)...to enable members of applicable language minority groups to participate effectively in the electoral process.[31]

Various "triggering" mechanisms effect application of this portion of the VRA to covered jurisdictions.[32] Coverage is derived from Sections 4(f) and 203(c) of the VRA; under the former, submitting jurisdictions must obtain preclearance from the Attorney General; under the latter, the U.S. Attorneys of covered jurisdictions are the enforcing agents.[33]

For purposes of this study, the entire state of Texas is covered under Section 4(f); thus, changes in the language provisions in Texas must be submitted under the Section 5 preclearance process.[34]

The language provisions of the VRA define materials and assistance to include registration and election information received by mail, including public notices, official polling place signs and any official election publicity;[35] ballots, sample ballots, informational items and petitions must meet bilingual requirements.[36] Section 55.20 requires oral assistance and publicity in the conduct of minority voting. The importance of these requirements is reflected in findings of a nationwide non-voter survey conducted in 1976: The survey found that a frequently cited reason (16.0%) for non-voting in 1976 was that "They make it hard for people who don't speak English."[37]

How have the VRA language requirements impacted Texas? How have these provisions been administered? One of the earliest surveys of language requirement impact and administrative effectiveness was conducted in 1975 under the auspices of the Mexican American Legal Defense and Education Fund and the National Reapportionment Rights Project. A survey of select polling places in Central and South Texas (49 election places) in twenty-five cities representing seventy-seven election boxes was undertaken. The study probed issues such as voter confusion (if any) resulting from Texas' first statewide use of bilingual ballots and materials; the survey was conducted during the referendum on Texas' proposed Constitution. Election administration problems and the manner in which bilingual ballots were received by election officials were also issues which were surveyed. The summary conclusion of this study found general voter satisfaction with Texas' first bilingual election encounter:

> Bilingual Elections presented little or no additional problems to local election officials and may even have been a help in the physical conduct of the election.
> a) There was no significant instance of voter confusion reported.
> b) Only five judges complained that bilingual elections resulted in confusion to the judges.
> c) In several instances election judges (usually Mexican American) commented that the Spanish language translation assisted them in explaining the ballot to persons who were illiterate in both English and Spanish.
> d) There were no complaints reported on the use of translators.
> e) In most, though not all, election places which were majority Mexican American, the election judges spoke Spanish and the State provided a translator for the use of persons illiterate in both English and Spanish.[38]

A second survey, conducted during the 1976 general election in Texas, covering three South Texas counties (see Appendix E for a summary version of this survey).[39] This survey revealed that voters viewed bilingual registration and voting materials favorably and as helpful devices. A significant proportion of those voting for the first time felt these materials acted to encourage their participation.

This year (1979), the Federal Election Commission will release a comprehensive report on the administration of bilingual requirements under the 1975 Voting Rights Act. Until the release of that study, however, the two surveys citied above contain evidence which supports the conclusion that bilingual election materials have a salutary effect on Spanish speaking voters in Texas.

CHAPTER 10
FOOTNOTES

[1] The history of voting abuses in Texas follows Charles Cotrell and Jerry Polinard, "The Impact of the 1975 Voting Rights Act on the Texas Electoral System," A paper delivered at the Western Political Science Association Convention, Phoenix, Arizona, April, 1976.

[2] 384 U.S. 155 (1966).

[3] Newbury v. U.S., 256 U.S. 232.

[4] Nixon v. Herndon, 273 U.S. 536 (1927). Although the statute would appear to be in obvious violation of the 15th Amendment, the Court had not yet defined the 15th Amendment right to vote to include primary elections.

[5] Nixon v. Condon, 286 U.S. 73 (1932).

[6] Grovey v. Townsend, 294 U.S. 699 (1935).

[7] U.S. v. Classic, 313 U.S. 299 (1941).

[8] Smith v. Allright, 321 U.S. 649 (1944).

[9] Grovey v. Townsend, 295 U.S. 45 (1935).

[10] Terry v. Adams, 345 U.S. 461 (1953).

[11] 321 F. Supp. 1100 (1971)

[12] Section 4.28 of the Texas Education Code was a product of the segregationist-minded 55th Texas Legislature (1957, passed in the Second Called Session). Section 4.28 of the Education Code provides in part as follows:

CHAPTER 10. FOOTNOTES

> (a) In order to maintain law, peace, and order in the operation of the public schools without the use of military force, the county judge of each county in this state is authorized to require any organization, operating or functioning within the county and engaged in activities designed to hinder, harass, or interfere with the powers and duties of the State of Texas in controlling and operating its public schools to file with the county clerk, within seven days after such request is made, the following information, subscribed under oath before a notary public:
>
> (1) the official name of the organization and list of members;
> (2) the office, place of business, headquarters, or usual meeting place of the organization
> (3) the officers, agents, servants, employees, or representatives of the organization
> (4) the purpose or purposes of the organization; and
> (5) a statement disclosing whether the organization is subordinate to a parent organization and, if so, the name of the parent organization.

Aimed initially at the NAACP, the statute was invoked in 1974 against Mexican Americans boycotting the public schools in Medina County /see _Familias Unidas_, _et_ _al_. v. _Dolph Briscoe_, _et_ _al_., (Civil Action No. SA 74 CA 47, W.D. Texas, 1974)/.

[13] _White_ v. _Regester_, 412 U.S. 753, 769 (1973).

[14] _Hearings on the Extension of the Voting Rights Act_, Pt. 1, 365.

[15] The history of state discouragement and exclusion is given in greater detail in _Hearings on the Extension of the Voting Rights Act_, before the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, House of Representatives, February and March, 1975, starting at pages 360, 398, 519, 799, 800 and 853.

CHAPTER 10. FOOTNOTES

[16] United States Commission on Civil Rights, Using the Voting Rights Act (Washington, D.C.: Government Printing Office, 1976), 1-2.

[17] Speech by Joseph Rau, Civil Rights Attorney, Symposium on the Voting Rights Act, March 26, 1977, Washington, D.C.

[18] Using the Voting Rights Act, 9.

[19] Ibid., 10.

[20] David H. Hunter, Federal Review of Voting Changes, 2nd ed. (Washington, D.C.: Joint Center for Political Studies, 1975), 35.

[21] See Chapter 1, supra., n. 3. Also, see Hearings on the Extension of the Voting Rights Act, Pt. 1, 360-480.

[22] The numbered place system, a device wherein candidates running at-large select a numbered position--can become a restrictive device in the context of racially polarized voting. Minority candidates can be pitted "head-to-head" against non-minority candidates, making their election particularly difficult. On many occasions, the numbered place device is adopted after minority candidates have shown a growing political strength in elections. See United States Commission on Civil Rights, The Voting Rights Act: Ten Years After (Government Printing Office: Washington, D.C., 1975), 207-8, Roy Young, The Place System in Texas Elections (Public Affairs Institute University of Texas: Austin, Texas, 1965) and Charles L. Cotrell, "The Effects of At-Large Elections on Mexican American and Black Voting Strength in Texas," Hearings on the Extension of the Voting Rights Act, 408-79.

[23] This provision, used extensively throughout the South and the Southwest, can operate as a restrictive device in the context of racially polarized voting. Minority candidates who win a plurality in the first election are many times faced with an effective barrier to victory in the majority run-off against an Anglo candidate. See The Voting Rights Act: Ten Years After, 206, "The Effects of At-large. . . Voting Strength," and White v. Regester 455 U.S. 755, 766-67 (1973).

CHAPTER 10. FOOTNOTES

[24] The issues involved in county commissioner precincts, constitutionally required single member districts, are malapportionment of population and racial gerrymandering. Usually, both issues are considerations in counties sustaining objections. See The Voting Rights Act: Ten Years After, 250-274.

[25] In the context of at-large elections and racially polarized voting, annexations which include disproportionate percentages of Mexican American and black populations, can "permanently" dilute the voting strength of a minority group; see The Voting Rights Act: Ten Years After, 299-306 and Federal Review of Voting Changes, 41-44.

[26] Location of polling places and adequacy of polling places can encourage or discourage voting participation. See George Korbel's discussion of the location of absentee polling places in Hearings on the Extension of the Voting Rights Act, Pt. 1, 369.

[27] Texas Senate Bill 300 would have "purged" nearly five million Texans from the voter rolls and required re-registration by mail. The Attorney general interposed an objection on the grounds that the purge would adversely impact on minority voters (Objection Letter, (Re Senate Bill 300), December, 1975).

[28] The counties were Nueces, Tarrant and Jefferson--all have significant concentrations of minority population. The district boundaries were objected to on the grounds of racial gerrymandering. As a result of the objection, five more minority representatives have taken their seats in the Texas House of Representatives from these three counties.

[29] See the discussion of Texas Senate Bill 11 below.

[30] Bilingual election materials must be available in jurisdictions covered by the bilingual provisions of the VRA. Although no objection to the content or adequacy of bilingual procedures has been made by the Attorney General thus far, it is possible to object on those grounds. The objection in question resulted because a jurisdiction did not provide bilingual election materials.

CHAPTER 10. FOOTNOTES

[31] "Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups," Federal Register, Vol. 41, No. 140, Tuesday, July 20, 1976, 29998.

[32] See Section 55.5 and 55.6, Federal Register, supra., Note 29, 29999.

[33] See Deborah P. Snow, "Justice Department Implementation of Section 203 of the Voting Rights Act," a paper presented at the National Conference of the American Society for Public Administration, Phoenix, Arizona, April 9-12, 1978. Ms. Snow concludes that: "The delegation of authority (to enforce Section 203 to U.S. Attorneys) seems only to have removed the problem of implementing the minority language provisions from sight."

[34] "Implementation . . . Regarding Language Minority Groups," supra., 30003.

[35] Ibid., Section 55.18 (b, c, and e), 30000.

[36] Ibid., Section 55.18(d).

[37] Philip Hart and Associates, "1976 Non-Voter Survey: A Summary." Washington, D.C., 1976.

[38] Mexican American Legal Defense and Education Fund, "MALDEF Election Survey," (unpublished) San Antonio, Texas, December, 1975, 3.

[39] Mexican American Equal Rights Project, "Survey of the Effect(s) of Bilingual Elections in Three South Texas Counties in 1976: A Summary of Findings," (unpublished) December, 1976, San Antonio, Texas, 4 (see Appendix F below for a summary of this survey).

CHAPTER 11

THE CASE OF SAN ANTONIO, TEXAS: THE VOTING RIGHTS ACT, ANNEXATIONS AND MINORITY VOTING STRENGTH AND REPRESENTATION

San Antonio was founded in 1718 by the Spanish as a base to support the missionary and military efforts in the northern territories of Mexico. The population is ethnically divided approximately 52.0% Mexican American, 40.0% Anglo, and 8.0% black. The city's economy is dominated by several large military installations, with tourism, agriculture, and oil contributing secondarily. San Antonio is not a Southern city with the cultural, racial, economic, and political traditions normally associated with communities confronted by federal authority over electoral reform. As a result of a Section 5 objection to annexations made to the city during the period 1972-74, the representational system of San Antonio was fundamentally altered. The local political impact of the Section 5 criteria of representation applied by the Attorney General is clearly seen in the San Antonio case.

Since 1837, when San Antonio was chartered by the Republic of Texas, the city has adopted several different forms of representative government. The first reform was in 1876 with the adoption of a mixed council system in which aldermen were elected both from districts and at-large. In 1914 the city adopted the newly devised commission form of government in which the commissioners were elected from districts. In 1951 local reformers succeeded in persuading the electorate to adopt a new charter and establish a council-manager system in which the nine member council was elected at-large. In each instance the change in governmental structure was consistent with contemporary standards of progressive municipal government. Each reform was intended to resolve the continuing conflict between efficient and representative government.

Until 1975, San Antonio fit, fairly well, the usual pattern of urban growth and reform.[1] The council-manager form of government adopted in 1951 represented over twenty years of political labor by a group of professionals and businessmen who ultimately organized as the Good Government League (GGL). Through good organization, a thorough and effective patronage system, expensive media dominated campaigns, and unity within the leadership ranks, the GGL dominated San Antonio politics for over twenty years. The extent of this domination can be seen in electoral victories: from 1955-1971, the GGL lost to opposition candidates on only three occasions and its candidate for mayor was never defeated.[2]

Much of the opposition to the GGL was focused in the Mexican American community. In spite of a majority or near-majority of the population during the twenty year period 1955-75, Mexican American representation comprised only twenty-seven percent of the total number of elected councilpersons.[3] And, only five of the Mexican Americans elected were independent of the GGL. These Mexican American independents were usually very vocal in their opposition to the GGL (in 1967, attorney Peter Torres was elected as an independent voice to the council; he served until 1971, when the GGL ran their strongest candidate--John Gatti--and defeated Torres).

Other indications of Mexican American reactions to the GGL can be found in the voting patterns of predominantly Mexican American precincts. During the period 1961-75, the predominantly Mexican American portion of the city consistently voted against GGL candidates.[4]

In 1974, several charter revision proposals were placed before the electorate. One of those proposals was a plan to enlarge the city council and elect seven of the eleven council members from single member districts. The proposed 7-4 plan was defeated. But an analysis of the patterns of electoral support and rejection reveals that the predominantly Mexican American precincts voted, by large margins, for the proposal, while predominantly Anglo precincts voted against the single member district amendment. Thus, the 1975 Charter revision election signified yet another defeat for Mexican American voters to gain meaningful representation in city government under the at-large reform structure.

After passage of the Voting Rights Act in July, 1975, the entire State of Texas became a covered jurisdiction. Therefore, the City of San Antonio was required to submit any electoral changes, including annexations, to the Attorney General for preclearance. The effect of these annexations to San Antonio's predominantly Anglo northside had been mentioned a year earlier in the House and Senate hearings on extension of the VRA by two witnesses. According to the Hearings, the effect of the annexations was described thusly:

> In 1972, the City of San Antonio made massive annexations which moved the city from 11th to 9th largest in the nation. They included many irregular or so-called finger annexations on the city's heavily Anglo north side. The population breakdown in the areas annexed was overwhelmingly Anglo although the city was previously almost evenly divided between Anglos and Mexican Americans. Since San Antonio elects its city council 'at-large' such disproportion annexation could clearly affect minority political rights.[5]

Hence, the meaning of this passage for minority voting rights in San Antonio had been clearly stated a full year before the impending annexation controversy. Further, the Mexican American Legal Defense and Educational Fund had pending a suit[6] challenging the constitutionality of the city's at-large election schemes on the grounds that it diluted the voting strength of Mexican Americans in the electoral process. And, multi-member (at-large districts for the election of Texas House members had been ruled unconstitutional in White v. Regester.[7]

Under Section 5 of the VRA, citizens may convey their opinions about the effects of election changes on their voting rights. The San Antonio annexation issue was enjoined by scores of individuals and civil rights organizations. The Mexican American Equal Rights Project, the Mexican American Legal Defense and Educational Fund and the National Reapportionment Rights Project all joined the information war. Comments submitted by these organizations documented the existence of racially polarized voting in city elections,[8] showed the comparative size of the annexed area[9] (to the size of cities nationwide), demonstrated the impact of the newly acquired territory on zoning and school districts[10] and documented the relationship between officials elected at-large and neglect of the municipal services received by Mexican Americans and Blacks.[11] These citizen and organization comments had their effect: a Justice Department official conceded that the comments of these citizens had a "considerable impact" on the Department's decision.[12]

On April 2, 1976, the Attorney General entered a controversial objection against thirteen annexations by the city. In his letter of objection, the Attorney General noted that he was not concerned "with the validity of the annexations as such, but with the changes in voting which proceed from them." The Attorney General contended that the annexations at issue expanded the land area of the city by twenty-five percent (65 square miles); and that the annexed areas encompassed a population of seventy-five percent Anglo and twenty-three percent Mexican American, thereby reducing the proportional voting strength of the Mexican American population. The Attorney General's rationale for the objection is as follows:

> . . . However, with regard to the other 13 annexations, we cannot conclude, as we must under the Voting Rights Act, that they, when coupled with an at-large, majority vote, numbered post system of City elections, in which racial-ethnic bloc voting exists, do not have the effect of abridging the right to vote of affected minorities in San Antonio.

The letter goes on to suggest a remedy to the objections:

> . . . one way to remedy this situation would be to adopt a system of fairly drawn single member wards. Should that occur, the Attorney General will reconsider the matter upon receipt of that information.[13]

The effect of this particular objection and remedy was dramatic. The city's political leadership structure had been showing signs of disintegration for the previous three years. In the municipal elections of 1975, the once monolithic GGL lost its majority on city council to a slate of well-financed opponents whose principal support came from members of the same business and professional class that had financed and supported the GGL. The important differences were age and geography. The opposition "Independent Team" supporters were a generation younger than the GGL leaders, but the opposition was based upon more than a generational conflict. The younger businessmen had made their financial investments in the development of the growing Northside of the city. While the GGL had also supported and encouraged the rapid growth of the newer section of the city, they did not share the Independent Team's total commitment to the exclusive allocation of public resources to Northside development.

The old order was simultaneously under attack from another quarter: the predominantly Mexican American residents of the city's poor and densely populated Westside were being organized in an Alinsky style citizen's organization based in and supported by the Roman Catholic Church. While Communities Organized for Public Service (C.O.P.S.) did not challenge the business elite at the polls, they did place continuous, and for San Antonio, revolutionary pressure upon the city council to reverse its habit of allocating a disproportionate share of the city's resources to the Northside and private development schemes, while ignoring the older and increasingly overburdened sections of the city.

The change in the community's power structure was first indicated in 1976 when C.O.P.S. joined with a coalition of middle class, Anglo reformers to defeat the GGL-Independent Team leadership in a referendum. The reformers successfully reversed a city council zoning decision to permit construction of a super mall on the Northside. While the referendum controversy was ostensibly over environmental protection, a clear signal was given that the closed oligarchy that ruled San Antonio for over twenty-five years was about to be seriously challenged by a new arrangement of political power.

The Section 5 objections in April of 1976 thrust the Justice Department into the center of this local political turmoil. The Attorney General's recommendation that the city abandon the GGL inspired at-large council was embraced by a coalition of liberals, Chicanos and political opportunists who saw in the Justice Department a very welcomed source of leverage to effect an immediate political reformation of the city's power structure.

A heated public debate followed over the merits of principled opposition to federal encroachment upon local government prerogative versus the measurable costs which would result from either deannexation or federal court orders prohibiting future elections, as well as the benefits of responsible district council persons. Finally, the city council voted to put a single member district plan to a referendum. On January 15, 1977 the voters accepted the remedy suggested by the U.S. Attorney General and adopted a ten member district council (with the mayor elected at large).

The council districts under this plan were composed of five majority Mexican American districts, one near-majority Black district, and four majority Anglo districts. Because the ten single member district plan had to gain clearance by the Justice Department, the ethnic and racial composition of the districts was a major consideration in formulating and adopting this arrangement.

The April, 1977 city election provided the initial evidence that the annexation objections had changed the contours of San Antonio's representational system. Five Mexican Americans were elected to city council for the first time in San Antonio's history; geographically, seven persons were elected from areas within the city which had experienced little or no representation during the previous two decades. And with the election of one Black person to the city council, minority group members composed a majority of city council for the first time in the city's history. Although it is too early for a conclusive statement concerning the impact on council policies, this geographically and ethnically distinct body already has: (1) restricted building in distant suburbs located over an aquifer which contains San Antonio's primary water supply, (2) reversed a policy allowing subsidies to builders on the grounds that the subsidies deplete inner city resources, (3) investigated and reprimanded various city agencies for the lack of affirmative action in hiring, (4) adopted later meeting times for city council and city boards to encourage citizen participation, (5) began to remove top level city employees associated with the old reform movement, and (6) reversed the distributional pattern of monies from local revenue sharing funds to projects located in the chiefly Mexican American, black and poor white populated inner city.

This case study illustrates dramatically--by significant changes in minority representation, by personnel appointments and changes in city boards and commissions, and by policies which re-distribute funds and services to the inner city areas--the effect which the Section 5 objection process of the 1975 VRA can have on Mexican American and black political destinies. As Section 5 informs us, the quantity of election law changes from Texas which must be submitted for preclearance is enormous.

Although the scope and effect of Section 5 objections would not always equal the San Antonio example, Texas' fifty-five objections to date have re-arranged the rules of local electoral participation for thousands of black and Mexican American citizens. Moreover, the San Antonio case demonstrates how the Section 5 process can be employed as a powerful intervenor on behalf of minority voting rights. Finally, this case speaks to the possibilities of citizen participation in the monitoring of local and state election law changes.

CHAPTER 11
FOOTNOTES

[1] Some of the analysis of the San Antonio case relies upon Charles Cotrell and R. Michael Stevens, "The 1975 Voting Rights Act and San Antonio, Texas," Publius, vol. 8, no. 1 (Winter, 1978), 79-100; see also Arnold Fleischmann, "Sunbelt Boosterism: The Politics of Postwar Growth and Annexation in San Antonio," in David C. Perry and Alfred J. Watkins (eds.), The Rise of the Sunbelt Cities (Beverly Hills: Sage, 1978), 151-168. Additionally, on the future of urban growth in the Sunbelt, see Charles Cotrell and R. Michael Stevens, "The 1975 Voting Rights Act, Annexation Policy and Urban Growth in the Sunbelt," Urban Law Review, vol. 3, no. 1 (Spring/Summer, 1979), 1-38.

[2] See Luther Lee Sanders, Winning Elections the Good Government Way, No. 1 (San Antonio, Texas: Urban Studies Institute, St. Mary's University, 1974) and Charles Cotrell "Municipal Services Equalization in San Antonio, Texas: Explorations in 'Chinatown', No. 2 (San Antonio, Texas: Urban Studies Institute, St. Mary's University, 1976).

[3] Charles Cotrell, "Municipal Services. . . 'Chinatown'," op. cit., 12.

[4] Analysis contained in Mexican American Equal Rights Project's Comment on San Antonio's Annexations, March 18, 1976.

[5] House Hearings on the Extension of the Voting Rights Act, Pt. 1, 398. See also the same source, 403.

[6] Martinez v. Becker (C.A. No. 315, March. 1974).

[7] 412 U.S. 753 (1973).

[8] Comment by the Mexican American Equal Rights Project, March 18, 1976.

[9] Comment by the Mexican American Legal Defense and Education Fund, March 20, 1976.

[10] Comment by National Reapportionment Rights Project, March 23, 1976.

[11] Comment by Mexican American Equal Rights Project, March 18, 1976.

[12] "Department Stands Firm," San Antonio Light, April 15, 1976, 2-A.

[13] Attorney General's Objection Letter, April 2, 1976.

CHAPTER 12
THE CASE OF FORT WORTH: THE DOMINO EFFECT?[1]

Historically, Fort Worth (population 393,455) and Tarrant County (population 716,317) is "western" in its orientation. Founded as a cattle shipping center, the stockyards processed tons of beef and mutton for shipment to the entire Southwest. For purposes of this study, this North Central Texas city will exemplify the influence which changes in one electoral jurisdiction have on others in close proximity.

This case study begins with federal court litigation which challenged the constitutionality of multi-member (at-large) districts for the election of Texas House members in two of Texas' most populous counties.[2] After the Supreme Court declared the use of state legislative multi-member districts unconstitutional in White v. Regester (1973), election systems in nine other populous Texas counties--including Tarrant--were challenged in December, 1973.[3] The previous spring--efforts by the legislature to re-district Tarrant and other urban Texas counties failed in the lower House of the Texas Legislature due to the fact that the at-large elected representatives from Tarrant County did not want single member districts.[4]

After legislative efforts to change failed, black, Mexican American and low income whites brought suit in federal district court in December, 1973.[5] In Graves v. Barnes (II), the Court heard voluminous testimony on the existence of racially polarized voting in Tarrant County elections and the resultant discouragement which minority (Mexican American and black) voters and candidates had experienced in running for state, county and city positions. Under direct examination, black businessman, Bobby Webber--a candidate for the legislature in Tarrant County--described the viewpoint of minority candidates running in at-large elections:

> . . . when I went into the race, I wanted to win. And we did everything that I think was humanly possible to win. And we felt we were financially well-organized. We felt that from the experience point of view, professional people handling our campaign, we were organized there. Physically, I mean actual physical effort into the campaign. I lost about 25 pounds doing that. So, I don't see at this point how it would be humanly possible for me or any other individual to win in Tarrant County from a minority point of view.[6]

The decision which declared the Tarrant County state legislative system unconstitutional[7] depicted the plight and discouragement of minority voters in the face of long-standing legal barriers and electoral arrangements:

> The effect of blacks' lower participation . . . coupled with the fact that blacks also register in smaller proportions, creates an almost overwhelming handicap to a minority candidate or one

> who commits himself to the interests of minorities. Thus, the process spirals endlessly. History and powerlessness create apathy and unresponsiveness; unresponsiveness breeds more apathy, apathy more powerlessness and unresponsiveness. Not only those who do not learn from history, but also those who are trapped by history, are condemned to repeat it.[8]

Additionally, in the case of Mexican Americans, the district court opinion tied lack of minority voter access to language barriers (for example, at that time, Texas employed an English only ballot):

> The low level of registration and turnout is due largely to the lingering intimidation of Mexican Americans since repeal of the poll tax and restrictive registration measures, as well as to a language barrier that presents obvious communication problems.[9]

But minority voting rights were not yet secure in Tarrant County. The Supreme Court ordered a stay of the lower court's decision which resulted in the 1974 elections being held under the at-large election system. In the Sixty-fourth Session (1975), the Texas Legislature passed House Bill 1097, which provided a legislative version of single member districts for Fort Worth and other populous Texas counties.[10] This legislative action rendered the Court ordered stay moot.

The Section 5 submission process of the 1975 Voting Rights Act (VRA), however, altered the sequence of events at this point. The legislative act, an election change required to be submitted under the VRA, was objected to by the Justice Department on grounds that the legislatively drawn boundaries were racially gerrymandered.[11] The complex battle then found a temporary solution in San Antonio in a hearing before a three-judge federal district court. The court upheld a plan drawn by Representative Tom Schieffer of Tarrant County on an interim basis,[12] but Attorney Don Gladden, a prime mover in this reapportionment battle, appealed the court's decision to the Supreme Court. Interestingly, the Ft. Worth Star Telegram, an important media influence, endorsed a single member district plan on January 28, 1976.[13] This was the first of the endorsements for single member districts in Tarrant County and Fort Worth by this major daily, which undoubtedly aided single member district supporters.

The Supreme Court refused Gladden's appeal on March 1, 1976; however, on June 2, 1977, Gladden re-opened the Tarrant County controversy before a three judge court on the grounds that the interim plan approved by the same court in February had only resulted in the election of one black representative when a fairly drawn plan could have resulted in two black legislators from the nine positions in District 32.[14] On November 2, 1977, a three judge federal court approved the "Gladden plan " on the basis that this plan had the least variance in population among the districts. However, the state appealed the three judge court approved plan. The Supreme Court granted a stay, but before the 1978 elections could take place, it affirmed the ruling of the district court.[15] This insured that elections would be held under the "Gladden plan" and that Tarrant County would send another black representative to the legislature.[16]

The first governmental body to feel the impact of sustained public discussion, litigation and legal precedent generated by the legislative redistricting suit was the Fort Worth City Council. The nine member council had traditionally been elected at-large; until 1967, no black person had served on the city governing board. Many of the council members, city administrators and board and commission members resided in the more affluent white suburbs (especially the westside of Forth Worth). Only two black persons had served on the council under the at-large election system. One of these individuals--Leonard Briscoe--testified in the Graves decision about the way in which blacks were "selected" to serve on the city council and the manner in which the effectiveness of their voice was vitiated by the white majority under an at-large system:

> The power structure decided that as a part of every group that they supported--this is from Dallas and Ft. Worth--that they would have a black person in that group. This was an experiment that was done with Dr. Guinn in '67 and '69 and with me in '71, and then later the School Board decided they would do the same thing. Now, what has happened since that time is that we have gotten a candidate to sit there and window-dress. You've got affirmative action issues that the cities and school districts and so forth have to address,

> and when you get over into those issues, the conservative white community that traditionally supported as an agreement with the downtown groups, that traditionally supported black and brown representation will not do it any more.[17] (Italics by the author.)

In 1973, Councilperson Leonard Briscoe was defeated in a racially polarized election,[18] leaving the city council without minority representation during the mid-Seventies.[19] This fact made the at-large election structure used in city elections even more suspect to Fort Worth citizens favoring representation of the black and Mexican American communities.

Political pressures and the impending "wave of legal precedent" in at-large election challenges in Tarrant and other urban counties brought the issue to the city council for the purpose of preparing a single member district proposal which was to be submitted to the city electorate. The council turned down the apparent favorite--the "mixed" 5-3-1 plan (five single member districts, three at-large and the mayor at-large)-- in favor of an 8-1 plan (eight single member districts and the mayor at-large).

The 8-1 plan was approved by the voters by a narrow 105 votes.[20] Again, the Star Telegram endorsed the plan. Of course, it should not go unnoticed that the at-large city elections in neighboring Dallas had been successfully challenged in a federal court decision in 1975.[21] The theme of the "inevitability" of single member districts characterized much of the public debate over the plan. Two blacks and one Mexican American--the first ever to be elected in Ft. Worth--were elected in the 1977 city elections.

Interviews with two of these individuals--Councilperson James Bagsby and Lou Zapata--indicate that a sense of greater responsiveness characterizes the council since adoption of single member districts. Single member districts and minority council membership have resulted in much more stringent city affirmative action policies (including a thorough monitoring by minority representatives), a vastly improved response time in reaction to complaints concerning city services, resolution of internal racial turmoil--especially in the police department--as a direct result of minority council intervention,[22] improved street service and street conditions and large increases in seeking out and obtaining federal monies for capital improvements in the lower income minority and non-minority districts.

Two effects of this improved responsiveness are especially noteworthy. One concerns the legislator-constituent relationship under single member districts. Minority council members interviewed suggested that they spend about twenty hours per week involved in meeting direct constituent services and needs (this is above and beyond the legislative, committee and ceremonial functions they perform). These officials then act as advocates for a wide variety of minority community needs and concerns.

One councilperson suggested the importance of having an elected representative voice minority needs: "When I call (as a councilperson), it makes a lot of difference. The power of the office does it."[23]

A second result of the new minority representation in Fort Worth city politics also concerns the credence and influence given to the voice of a minority elected official by the public and the effectiveness with which this influence can be used to promote Mexican American and black aspirations and needs in other political arenas. For example, in December, 1978, a black state legislator became involved in promoting the redistricting of the malapportioned Tarrant County Commissioners' Precincts before Commissioners' Court.[24] We shall see the effectiveness of this offical intervention in yet another political arena--the Tarrant County Independent School District.

A final footnote to the city portion of the single member district story concerns the smaller suburban city outside Ft. Worth--Arlington, Texas (population 95,000, almost one hundred percent white). Until the Graves v. Barnes suit, Arlington had not had a representative in the legislative delegation since

1951.[25] The legal victory which brought districts to all of Tarrant County also gave representation to Arlington. Thus, many citizens of Arlington were aware that districts could remedy the lack of representation in their community.[26] Politically active individuals circulated a petition to place the single member district issue of the city before the Arlington public for a referendum vote. Although the referendum failed during a Spring, 1979 vote, the Arlington case does exemplify the contagious effect which the single member issue had in Tarrant County.

The final "domino" to fall was the local school board. Under Texas law, the one thousand plus local school boards in this state elect their members at-large; however, due to federal court litigation and special permissive state legislation, some districts elect by single member districts (for example, Dallas, Houston and Waco). After Leonard Briscoe was elected to the state legislature in 1976 from a district, he co-sponsored a bill which provided for a 7-2 plan (seven districts, two members at-large) for the Tarrant County I.S.D. (House Bill 2152).[27] The first election (April, 1978) held under the new "mixed" plan resulted in the election of two black board members and one Mexican American. Prior to the new election plan, a single black had served on the school board since 1967. On November 17, 1977, the Department of Justice entered an objection to the staggered term arrangement of the new 7-2 plan because the first two positions to become vacant were predominantly white districts in population composition. Justice withdrew the objection when a compromise was reached (incumbents representing primarily minority-populated districts resigned, thereby allowing both Mexican American and black candidates to run for those board seats).

The sequence of events in this case study has been a legal and an electoral maze. Nevertheless, the effect--in public attitudes, advocacy and media orientation--of one jurisdiction influencing others in the adoption of single member districts is apparent through this labryrinth of litigation and ratification. Likewise, the legal "ripple" of the first at-large election challenge in White v. Regester in 1973 can be witnessed as a rising wave of challenges, submissions and popular ratifications in other electoral jurisdictions throughout Texas.[28]

CHAPTER 12
FOOTNOTES

[1] The term the"domino effect" of single member districts for Tarrant County and Fort Worth belongs to Attorney Don Gladden, a key figure in the single member district litigation. Interview with Don Gladden, Fort Worth, Texas, December 20, 1978.

[2] In White v. Regester, 412 U.S. 753 (1973) , the Supreme Court had declared unconstitutional the use of multi-member election districts in Dallas (adjacent to Tarrant County) and Bexar (San Antonio) counties.

[3] Graves v. Barnes, 378 Fed. Supp. 640 (W.D. Tex., 1974).

[4] Court Record, Graves v. Barnes, vol. 1, 246-47.

[5] Blacks constitute 19.9% of the city population and 11.3% of Tarrant County, while Mexican Americans constitute 8.5% of Fort Worth and 6.0% of Tarrant County.

[6] Graves v. Barnes, supra., 166.

[7] Multi-member districts in Travis, Lubbock, El Paso, Jefferson, Nueces and McLennan Counties were also declared constitutionally infirm in this decision. A significant proportion of the membership of Texas' lower House (27 members) were elected from these districts.

[8] 378 F. Supp. 647 (1974).

[9] Ibid., 656.

[10] An examination of the debate on the floor of the Texas House of Representatives reveals that minority representatives in the legislature vociferously opposed the single member district boundaries contained in H.B. 1097 (Transcript of Reapportionment Debate on House Floor, H.B. 1097, May 6-7, 1975).

CHAPTER 12
FOOTNOTES CONTINUED

[11] "U.S. Rejects Tarrant Redistrict Plan," Ft. Worth Star Telegram, January 28, 1976, 1-A. The Justice Department also objected to the legislative boundaries drawn for Nueces and Jefferson counties.

[12] "Single Member for Tarrant Ordered," Ft. Worth Star Telegram, February 20, 1976, 1-A.

[13] "Let's Have Single Member Districts," 16-A and "Single Member Plan Past Due," 6-D. The newspaper's editorial position reflects the pervasive and important influence of the VRA in Texas elections. In "Effects of Voting Rights Act Being Felt Here" (February 2, 1976, 6-C), an editorial, suggested that: "It is regrettable that Texas had to come under the eye of the Justice Department. . . . But the right to vote is a most basic right and must not be abridged. That's the point of readjustments in our election procedures. The best policy for our state and county officials to follow now is to make these readjustments as quickly and fairly as possible. There is nothing gained by flailing away at Washington. The thing to do now is to be certain that Texas does all it can to insure that the voting rights of all its citizens are and will be secure."

[14] "New District Lines Asked," Ft. Worth Star Telegram June 2, 1977, 1-A. Gladden also argued that the plan which he represented had a much smaller population deviation than the interim court-approved plan. Coincidentally, his arguments were reinforced by a Supreme Court decision handed down the same day as his request for court reconsideration. In Conner v. Finch, Governor of Mississippi, 97, S. Ct. 1828 (1976), which required federal court ordered plans to have a minimal (de minimus) population variation among districts.

[15] Interview, Don Gladden, Fort Worth, Texas, December 20, 1978.

[16] Ibid.

CHAPTER 12
FOOTNOTES CONTINUED

[17] (Tyler Hearing, 1978), Court Record, 368-69.

[18] Interview, Don Gladden, Fort Worth, Texas, December 20, 1978.

[19] Interview sources all agreed that Councilperson Margaret Remmer was instrumental in gaining council acceptance for the 8-1 plan, although her motives may very well have been to substitute a more "radical" plan in the expectation that it would be defeated by the voters. Interviews with minority Councilpersons James Bagsby Louis Zapata and conservative Councilperson Jimmy Bradshaw, Fort Worth, Texas, December 20, 1978.

[20] See "Deja Review of City Politics," Texas Monthly, June, 1975, 16-17.

[21] Lipscomb v. Wise, 399 F. Supp. 782 (N.D., Texas, 1975).

[22] Councilperson James Bagsby relates that three years earlier, under an at-large council arrangement, his statement of these same grievances had fallen upon "deaf ears at city hall." Interview, December 20, 1978.

[23] Interview, James Bagsby, Fort Worth, Texas, December 20, 1978.

[24] Interview, Don Gladden, Fort Worth, Texas, December 20, 1978.

[25] Interview, Don Gladden, Fort Worth, Texas, December 20, 1978.

[26] Interview, Betty Fischer (local political expert in Graves v. Barnes and resident of Arlington), Arlington, Texas, December 21, 1978.

[27] Interview, Professor Del Taeble, University of Texas at Arlington, Arlington, Texas, December 21, 1978 and interview with Larry Schuessler, graduate student involved with demographics of the school board plan, Arlington, Texas, December 21, 1978.

CHAPTER 12
FOOTNOTES CONTINUED

[28] Cities other than San Antonio, Fort Worth and Dallas which have experienced election system changes and increases in minority representation are: Waco, Texas (under court ordered plan, an increase of one Black council member, from one to two black council members on a seven member council--see Chapter 13 below); Paris, Texas (acceptance of the plaintiff's plan after litigation resulted in an increase of two black council members on a council of seven); Texas City (after a suit had been filed, a change to districts by referendum resulted in the election of two blacks to a seven member council--the first blacks elected in Texas City); Nacogdoches (an acceptance of plaintiff's plan after litigation resulting in the election of one black to a five person body--the first black elected in that city); El Paso (a referendum adopting districts in 1978--two Mexican Americans were elected to a council of six members).

CHAPTER 13

WACO, TEXAS: A CASE OF CHANGING THE RULES OF THE ELECTORAL GAME

Established in 1850, Waco (located in McLennan County in Central Texas) is an influential trade and agribusiness center for the entire Central Texas area. Located an equidistant one hundred miles between Dallas to the north and Austin to the South, Waco is in an ideally situated trade location. The blackland prairie farms originally drew white, black and Mexican American farmers and farm laborers to the area.[1] Race relations have most closely approximated those between whites and blacks in East Texas Counties; although conditions may have improved during the Seventies, a degree of hostility and mutual suspicion can be said characterizes black-white community relations. The district court opinion in Graves v. Barnes (1974) stated that "Waco's history of racial discrimination is no less blatant and pervasive than those of other areas in Texas."[2] To substantiate this finding, the district court opinion cited, among other historical facts, McLennan County and Waco's electoral support for a 1956 statewide referendum calling for the retention of racially segregated local schools (the margin of support in Waco was 81.0%). Electoral majorities almost as large supported "specific legislation perfecting State laws against intermarriage between white persons and negroes (sic)" and ". . . the use of interposition (a state's rights doctrine) to halt illegal federal encroachment."[3] The effects of these racial attitudes were to lead to a series of federal court actions during the decade of the Seventies, which are the foci of this case study.

Waco and McLennan County are included as one focal point in this report to illustrate (a) the impact of changes in the electoral rules of the game, (b) an example of combined black and Mexican American legal efforts to change discriminatory legal systems and (c) the interrelationship between electoral districts within the same county which have been shown to discriminate against minority voters.

As in the case of Fort Worth (see Chapter 12 above), the chronology of events in Waco begins with the 1973 challenge to the use of multi-member districts in the election of state legislators from McLennan County. Mexican American and black plaintiffs contended that the strength and effectiveness of their vote was unconstitutionally diluted or minimized. A three judge court ruled in their favor in the case Graves v. Barnes II (1974).[4] In reaching their conclusion of unconstitutionality, the district court noted the high degree of residential segregation in Waco. Census tracts are nearly completely white or black, with most of Waco's black population residing east of the Brazos River, which divides the City of Waco. Residential segregation in the context of at-large elections, often the result of historically used restrictive covenants, many times results in a geographically concentrated group of minority voters losing their political effectiveness. This was the court's conclusion in Waco.

The court recited a familiar litany of factors which converge to discriminate against minority voters:

> All of these factors--past history of discrimination resulting in continuing lack of minority political participation, demographic and geographic factors, the failure of the few bids of minority candidates, and the present representatives' lack of commitment to the particular needs of minorities--present a persuasive pattern of cancellation and minimization of minority voting strength. The most striking element in McLennan County, however, is the absolute despair and apathy felt by most of the county's minority residents. There was testimony that blacks in particular vote in very small numbers, the single exception being races in which a black is a candidate. A former representative said: 'It doesn't make any difference who runs, they feel they are not going to get much out of it one way or the other, so they just quit voting.'[5]

The Graves decision required the adoption of single member districts for McLennan County (Legislative District 35). But the decision set off further federal court action challenging the use of at-large elections in the Waco city and school district elections which has resulted in minority representation on those governing bodies proportionate to minority percentages in the population.

In 1974, Mexican American and black voters filed suit against the City of Waco and the Waco Independent School District[6] on grounds that the at-large election systems of these governing bodies discriminated unconstitutionally against these groups. The cases were consolidated by the court, but this study will consider the jurisdictions separately--the City of Waco first.

The use of at-large elections by Waco provides us with the classic case of changing the rules of the election system when it appears that the election outcome will change. A brief journey back through the history of city elections in Waco is necessary to demonstrate the change in rules. The first black candidate in the history of Waco City elections ran in 1950. During that period of time, Waco employed a ward system of elections, wherein the candidate was elected by the voters residing within particular geographic boundaries.[7] Two years previously, on January 31, 1948, the city council had initiated, and the voters of Waco had approved, a city charter change from mayor-council government to council-manager form, with election by geographic residency wards. The reasons given for the change were the more equitable representation and increased governmental efficiency.[8]

Black candidate Louis Stewart received 233 of 439 votes in the three person East Ward race. Ordinarily, 233 votes would have won a race in Waco City elections. Several months after the city elections, on September 12, 1950, the Charter was changed from ward to at-large elections with a candidate residency requirement in an amendment initiated by council with no reasons given.[9] Thus, candidates were required to win election by gaining a plurality of votes cast by an at-large electorate. Table 13-1 demonstrates the dilution effect in election after election when black voters in the East Ward consistently support one candidate (the black candidate when a black is running), while the predominantly white electorate living outside of the East Ward elects the opposing candidate.

The district court in _Derrick v. Mathias_ found this evidence of dilution thoroughly convincing for both black and Mexican American electoral attempts and thus ordered the adoption of an election plan wherein five persons are elected from single member districts while one person is elected at-large.[10]

Evidence of Mexican American and black voter dilution was also heard in the school district case. Nineteen Seventy figures place the school district's population at 95,273 persons of whom 19.4% are black and 8.7% are Mexican American. The population percentage of minority children attending schools in the district runs considerably higher than twenty-eight percent, however.

The history of electoral efforts by minority candidates in the school district is easy to understand: Although a number of Mexican American and black candidates had run for the school board, none had ever been elected (school board trustees were elected at-large by numbered place for staggered six year terms). In the language of the district court:

> The evidence revealed that the at-large election method, overlaid, as it is, upon the historic, cultural, economic and political realities of the black and Mexican American communities in Waco, results in a marked dilution of black and Mexican American votes. The Waco Independent School District does not seriously contest this conclusion, and agrees that single member districts could enhance the opportunities for Mexican Americans and blacks to be elected to the board of trustees.[11]

Finding the election system to be unconstitutional in the school district, however, was not the end of the legal battle. The contestants then continued their controversy over the election plan which would best remedy voter dilution.

The school board urged the court to adopt a four single member district, three elected at-large plan. This plan would have provided one majority black district, with four white majority districts. The Court refused to accept this plan as a meaningful remedy to minority voter dilution, commenting that:

> . . . the probable effect would be to create a single 'permanent' minority seat on the board of trustees, with black and Mexican American voters receiving virtually the same opportunity to elect the three at-large board members and the member from one addition district that they now have under the at-large election scheme.[12]

The Mexican American Legal Defense and Education Fund, representing Waco's minority voters, countered with a seven single member district plan, which would have probably resulted in the election of three minority representatives. The court did consider the MALDEF plan, but the judge felt that it was the responsibility of the school district to submit an alternative plan at a later hearing.[13]

On March 10, 1976, the same district court judge heard evidence on the MALDEF plan and a 5-2 plan (five single member districts and two elected at-large). The court adopted the 5-2 plan on March 29, 1976. Table 13-1 demonstrates the racial and ethnic population proportions among the five single member districts contained in the 5-2 plan. The court concluded that:

TABLE 13-1. RACIAL/ETHNIC PERCENTAGES AMONG FIVE DISTRICTS OF THE 5-2 PLAN

District No. 1

Total Population		19,846
Black	8,360	42.1%
M/A	2,686	13.5%
White	8,800	44.3%

District No. 2

Total Population		19,006
Black	9,087	47.8%
M/A	1,245	6.5%
White	8,674	45.6%

District No. 3

Total Population		18,424
Black	759	4.1%
M/A	2,672	14.5%
White	14,993	81.3%

District No. 4

Total Population		19,418
Black	30	.01%
M/A	633	3.2%
White	18,755	96.8%

District No. 5

Total Population		18,579
Black	247	1.3%
M/A	1,087	5.7%
White	17,245	92.9%

SOURCE: Calderon v. McGee, Civil No. W-74-CA-21 (W.D.Tex., May, 1976).

> It appears clear, therefore, that black and Mexican American citizens, whose interests have been represented as being largely co-extensive throughout these proceedings, hold a substantial opportunity to elect representatives of their choice in these two districts. To provide immediate relief for the presently existing dilution, the District proposes that two of the three board vacancies to be filled in this year's elections be filled by representatives from the two predominantly minority districts.[14]

Black and Mexican American voters had won the case, but lost their preference of remedies. As Table 13-1 demonstrates, District No. 1 and No. 2 are 55.6% and 54.3% Mexican American and black respectively. Nevertheless, a seven single member district remedy would have resulted in the probable election of three minority candidates. Hence, after two years in the courts, the minority citizens of Waco appealed to the Fifth Circuit Court of Appeals. On November 14, 1978, a three judge panel upheld the school board's 5-2 plan as a constitutionally firm remedy.[15]

This protracted legal battle was not over, however MALDEF petitioned for a rehearing on the grounds that the school district election plan had not received preclearance under Section 5 of the Voting Rights Act. The issue arose over the question of whether the election plan was a court ordered plan (not requiring approval under Section 5) or a legislatively adopted plan (requiring approval under Section 5). A panel of the Fifth Circuit Court of Appeals remanded the case to the district court for reconsideration of the question of whether Section 5 of the VRA had been complied with.[16]

This action occurred on February 16, 1979; the case is still pending before the district court.

What has happened in elections and governmental responsiveness since the adoption of some single member districts by the school board and the city?

In school board districts Numbers One and Two (see Table 13-1), two black candidates were elected--Reverend Robert Gilbert and Dr. Emma L. Harrison. A discussion of elected representatives' efforts to be responsive to the needs of minority school children has to focus on the activities of Reverend Gilbert. A leading witness in both the state legislative and school board legal challenges, Gilbert was one of the first blacks to graduate from Baylor University in Waco during the mid-Sixties. Stricken by the severe malady of rheumatoid arthritis since an early age, Robert Gilbert has many times articulated his defense of racial equality as a bed-ridden patient.

Soon after his election in June, 1976, Gilbert began an investigation of the high suspension rate of minority students from the Waco school system. In August, 1976, he concluded that minority students composed seventy percent of those suspended at the secondary level and eighty percent at the elementary level. He requested an investigation of these disproportionate suspension statistics in the form of a tri-ethnic committee, but the school board deemed the request "too vague."[17]

Election of minority candidates to a governing body does not insure immediate policy changes favorable to minority citizens. This has been the case on the Waco School Board. Nevertheless, when committed and outspoken minority representatives are elected, it usually insures that the particularized needs of minority communities will at least be introduced for legislative deliberation, however frustrating the introduction of those issues may be. Reverend Gilbert then proposed (April, 1977) a questionnaire which school district administrators could use to assess the continuing problem of minority student suspensions. He was told that it would cost him $1,500 for school administrators to collect and to record that information; he then requested a Texas Attorney General's Opinion on the quoted cost, contending that it was an astronomical figure. Another six months elapsed before the Attorney General's opinion was delivered, favoring Gilbert's contention. The school district administration then offered to undertake the work (in October, 1977) for $415.00. Members of the black community raised part of the money, but all of the participants became discouraged after the lengthy delay. With no statistics at hand, Reverend Gilbert has adopted the practice of not voting on the question to expel any student.[18]

He has also refused to vote on any faculty promotion until the school district adopts an affirmative action plan (which he proposed shortly after his election in 1976). The board has however, adopted a new evening meeting time to facilitate citizen attendance. Robert Gilbert continues his efforts, adopting a role of "focusing attention on minority issues that have been hidden, overlooked by the board--my job is to bring these issues before the board to be heard."[19] "The black community expects their representative to look out for their interests."[20]

The 5-1 plan adopted by the City of Waco resulted in the 1977 election of a black candidate--Reverend Dewey Pinckney--and a young Mexican American media personality, Roland Arreola. As the case studies involving the Ft. Worth and San Antonio city councils illustrate, the election of minority council members can result in improved representative effectiveness in at least three areas: (1) a greater governmental response to minority community needs; (2) better citizen service when requested in minority areas; (3) more effective advocacy of minority issues by elected representatives.

Reverend Dewey Pinckney, Executive Director of the South Terrace Neighborhood Center, sees his election as fulfilling all of these purposes, except that he serves many poor and elderly whites in addition to his black constituents. Among his actions which have increased city governmental responsiveness are (a) working directly with the City Equal Employment Opportunity Officer to find employment for more qualified minority job seekers; (b) minority membership on city boards and commissions has increased since his election; (c) actively seeking federal funds for public housing in Waco; (d) and general legislative bargaining for capital improvement funds and projects for East Waco. His election helped to symbolize the new minority stature in Waco political life: "Everyone knew that the foot-shuffling and head scratching days were over (in Waco)."[21] As the Ft. Worth case revealed, a newly elected minority representative spends many hours per week fulfilling the needs of constituency contacts, from complaints of "a dead dog in the trash can" to "problems of alleged police brutality."[22]

In sum, the Waco case study is yet another example substantiating the thrust of testimony of George Korbel given before Congress on the excension of the Voting Rights Act to Texas: "The entire history of the expansion of sufferage in Texas is a story of federal court decision and constitutional amendments."[23]

CHAPTER 13
FOOTNOTES

[1] The 1970 census reveals that the City of Waco has 95,320 persons, of whom 19.9% are black and 8.5% are Mexican American. Waco, the County seat of McLennan County, contains approximately two-thirds of the County's 147,533 persons.

[2] 378 F. Supp. 640, 650 (W.D. Tex., 1974).

[3] "Voters Demand Segregation," Waco *News-Citizen*, August 2, 1956, 1, as quoted in *Graves* v. *Barnes*, *supra*., 650 (Italics are the author's).

[4] *Ibid*., *supra*, note 2.

[5] *Ibid*., 651-52.

[6] *Derrick* *v*. *Mathias*, Civil Action No. W-74-CA-2 (Western District, Texas, Waco Division, 1976) and *Calderon* *v*. *McGee*, Civil Action No. W-74-CA-21 (Western District, Texas, Waco Division, 1976).

[7] This historical portion is based upon the "Waco League of Women Voters' City Council Structure Study," 1972, contained in *House of Representative Hearings. . .On Extension of the Voting Rights Act*, *supra*, 370-73.

[8] *Ibid*., 371.

[9] *Ibid*.

[10] Memorandum Opinion and Order, March 29, 1976, *Derrick v. Mathias*, *supra.*

[11] *Calderon v. McGee,* supra, *7 (slip opinion).*

[12] *Supra*, 9.

CHAPTER 13
FOOTNOTES CONTINUED

[13] The importance of this action by the court should be realized: Federal Courts are required to order single member districts as remedies in cases such as this one; however, legislatively adopted plans (e.g., a school board plan) can be "mixed"--both single member district and at-large.

[14] Derrick v. Mathias, Memorandum Opinion and Order, 3.

[15] Ibid.

[16] Ibid.

[17] Interview, Reverend Robert Gilbert, Waco, Texas, December 12, 1978. The Texas Observer, a liberal statewide journal, reports on a strange coincidence following Gilbert's advocacy of the investigation. According to the Observer, December 2, 1977,:

> "Waco black school board member Reverend Robert Gilbert lost just about everything he had in a house fire last September. Ordinarily a fire in Gilbert's predominantely black northside neighborhood wouldn't have raised an eyebrow. But the timing of the fire and Gilbert's reputation among whites as a 'militant' have aroused doubts about the origin of the blaze, at least in the black community.
>
> The day before his house burned, Gilbert stirred up the school board by proposing that a study be made of the high rate of minority student suspensions. . . .
>
> The Waco fire department blamed the fire on a faulty water heater, but a letter Gilbert received just days earlier has convinced some in the black community that arson was involved. In part, the letter reads: 'You're just a rabble-rousing, ignorant, cotton pickin nigger. At school board meetings you should be humble and show proper respect for the white folks present. I think we should have a committee meeting of the KKK to decide whether or not to beat your black ass . . . (signed) Honkey.'"

CHAPTER 13
FOOTNOTES CONTINUED

[18] Interview, Reverend Robert Gilbert, _supra_.

[19] _Ibid_.

[20] _Ibid_.

[21] Interview, Reverend Dewey Pinckney, Waco, Texas, December 13, 1978.

[22] _Ibid_.

[23] _House Hearings on the Extension of the Voting Rights Act_, Pt. 1, 365.

CHAPTER 14
CROCKETT COUNTY: REDISTRICTING IN WEST TEXAS

On March 13, 1975, in testimony supporting the need to extend and to expand the 1965 Voting Rights Act to Texas, a civil rights attorney testified:

> In 1974 a Mexican American received the Democratic nomination for a seat on the County Commissioners' Court at primary election held by that party. The district from which he was elected was substantially all Mexican American. (In Crockett County, as in much of Texas, the Democratic nomination for the Commissioners Court is tantamount to election.) Although at least one other commissioners' district was heavily populated by Mexican Americans, he was the first Chicano to receive the Democratic nomination for that position. Subsequently in August of 1974, prior to the general election and his taking office, the Commissioners acted to reapportion the county on the basis of registered voters and not population. Since registration among Mexican Americans has traditionally been low the Commissioners were able to isolate practically all of the Mexican Americans into one Commissioner's district--thus insuring that only one Mexican American would be elected.
>
> While the previous two instances were examples of dilution by fragmentation of minority representation, this is an instance of dilution by concentration. Since Mexican Americans account for in excess of 40% of the Crockett County population, it was practically impossible to effectively split them, thus they were concentrated into one district. A fair division which respected community of

> interest would have resulted in a substantial possibility of the election of a second Mexican American County Commissioner.[1]

This case study focuses upon a prolonged voting rights struggle carried on by a group of Mexican Americans over the issue of County Commissioner precinct gerrymandering in the remote West Texas County of Crockett. The study involves, however, more than the complex legal issues which developed over a five year period (1974-1979). In addition, the case is a microcosm of the social, political and economic climate which exists between minority citizens and members of the dominant culture in scores of rural Texas counties and cities. Finally, this case study evidences that legal and political struggles for Mexican Americans and blacks are not a thing of the past. Rather, the Crockett County experience is testimony to the current nature of voting rights and other civil rights violations in this state and the need for citizens to become active in securing these rights for all Texans.

Crockett County is located in the southwestern portion of Texas, approximately one hundred miles from the Mexican border on the long road westward towards El Paso. Established in 1875 and named for a hero of the Alamo, "Davy" Crockett (whose statue adorns the park in front of the County Courthouse), Crockett is one of the wealthiest rural counties in Texas due to the one hundred million dollar average oil and gas production. The county population is approximately 4,300, while the county seat, Ozona ("The Biggest Little Town in the World," as the sign downtown proclaims), has a population of 3,500. Forty percent of the population is Mexican American, many of whom reside in what a 1974 County map calls the Mexican town of Lima (a word meaning lime in Spanish). The rock-strewn, hilly and arid land of Ozona and Crockett County was settled by hard working Mexican and Anglo families during the nineteenth century; the roots and lineages of these families are firmly imbedded in the rocky West Texas soil.

A history of discrimination and consequent bitterness also marks Crockett County and Ozona. The town cemetary in Ozona--to this day--contains segregated burial sites for Mexican American and Anglo families.[2] Although located on the same grounds, Mexican Americans are buried in the Lima Cemetary, complete with a separate entrance gate. As is so often the case, the Mexican American residential area in Ozona--the Lima addition--is physically separated from North Ozona by an interstate highway. The Catholic Church in Ozona is ninety-five percent Mexican American; only one of the dominant Anglo ranching families is Catholic and attends this Church.[3] No Mexican American has been allowed to join the Ozona Country Club.

Until recently, children either attended the "Mexican school" or the "Anglo school." Although the school system is thoroughly integrated today, Mexican Americans still do not occupy administrative and teaching positions in proportions equivalent to the Mexican American student population. And, the school district has hired very few Mexican Americans born and/or raised in Crockett County.[4]

Completing an overview of ethnic relations in this West Texas County are numerous recited instances of hostility and harsh treatment of local Mexican Americans at the hands of various law enforcement officials. One such example deals with a Texas Ranger's gun-wielding and physical rough-housing of two local Mexican Americans at the local rodeo grounds in Ozona during 1972.[5] And, instances of economic intimidation by Anglo ranchers as retaliation for political support for Mexican American candidates are currently being alleged.[6] It is in this context of segregation and discrimination that Mexican Americans challenged a 1974 county commissioners' precinct redistricting in Crockett.

As the testimony above on the Voting Rights Act indicates, a Mexican American candidate--Jesus ("Chuy") Castro--won the Democratic primary in May, 1974 for County Commissioners' Precinct 4 in Crockett County. In August, 1974, before Democratic nominee Castro was duly elected in the November general election, commissioners' court reapportioned the precincts, using as their population figures registered voters, not 1970 census data.

The protest by the Mexican Americans is better understood when it is known that the reapportionment of 1974 was introduced by incumbent Commissioner of Precinct 1--Jess Marley. The reapportionment had the effect of taking Mexican American voters out of Commissioner Precinct 1 and placing them in Commissioner Precinct 4 (the precinct wherein a Mexican American had won the 1974 Democratic primary). In other words, eighty-four percent of precinct 4 was Mexican American--resulting in an overconcentration in that precinct and a consequent reduction of Mexican American voters in Precinct 1 (to below fifty percent). One must follow the election results of 1972 to fully understand the motive behind this reapportionment: A Mexican American candidate, Armando Reyna, lost an election in Precinct 1 in 1972 by less than sixty votes; Reyna was defeated by the author of the reapportionment--Jess Marley. Thus, in addition to removing Mexican American voters from Precinct 1 (and presumably taking Mexican American votes away from Spanish surnamed candidates in the next election), the "changing the residence of . . . five men in precinct 1 who had hopes of running against Marley in the next election. . ., includ(ing) (them) in Precinct 4 after redistricting,"[7] effectively eliminated Marley's future opposition.

In October, 1975, a Mexican American Legal Defense and Education Fund attorney, George Korbel, addressed the Crockett County commissioners on the need to preclear any election change with the U.S. Attorney General. He contended that the August, 1974 redistricting was not legal, since it had not been precleared. Further, the redistricting was not in accord with a Texas Secretary of State's opinion rendered in 1972 which declares that population, not registered voters, should be used as the apportionment base.[8] These pleas from the Mexican American community were considered by commissioners' court, but the plan which the commissioners adopted was objected to by the Department of Justice under Section 5 of the Voting Rights Act.[9]

During the Spring, 1976, two events occurred simultaneously which were to change later the electoral destinies of Crockett County Mexican American voters and candidates alike. The county commissioners' court proceeded with the 1976 May Democratic party primary, employing the objected to 1974 plan. In county commissioners' precinct number one, incumbent Jess Marley defeated Sostenes De Hoyos for the Democratic nomination in a run-off election in June, 1976. (This was to be the first of five electoral meetings between these two individuals in a period of two years.) Secondly, the Section 5 Justice Department's preclearance requirement under the 1975 Voting Rights Act required that the 1974 redistricting change receive preclearance by the Attorney General. Crockett County had not received Justice Department approval for the change. The election of Marley and the failure to gain Section 5 preclearance resulted in a bewildering array of legal maneuvers during the next two years (three suits are still pending in the Crockett County controversy) which involved the federal courts, the Department of Justice and the state courts.

The first segment of this two-year controversy came when four Mexican Americans[10] entered suit on July 22, 1976 seeking a restraining order which sought to prevent the 1976 general election for county commissioner precinct one from taking place on grounds that the primary election had taken place under election boundaries which had not received Section 5 preclearance.[11] A three-judge panel was appointed in October, 1976 to hear the case (a delay, however, put the hearing off until after the November election). The panel ruled that the 1976 election was not valid in that it had been held under an electoral scheme which had not received Section 5 preclearance.[12] Thus, again federal intervention by the courts and the executive branch became the effective remedy and recourse for minority citizens in Texas.

A final order entered by the federal court (September 29, 1977)[13] required that the commissioner precinct positions for posts numbers one and three be vacated and that a special election be held on December 10, 1977 in order to fill these vacancies.

Subtle and explicit appeals to race are one of the practices which minority voters and candidates have faced in elections wherein tensions are running high. The five elections between De Hoyos and Marley for commissioner's precinct one exhibited examples of these unsavory campaign practices. During the 1976 primary election and run-off, handouts sponsored by the Concerned Citizens of Crockett County against "Crystal City radicals" and the "vulgar actions of the De hoyos (sic) group."[14] Paid political advertisements in the Ozona Stockman August 2, 1978 (prior to yet another De Hoyos-Marley election contest) warns that De Hoyos ". . . has clearly shown that he only has a special group he intends to represent." Further, his "outside lawyers and trouble makers" have cost the county and individuals $50,000. The ad ends with an appeal for voter support for Jess Marley, who will continue "fair representation."[15] These five De Hoyos-Marley election contests aligned the overwhelming proportion of the Mexican American community with De Hoyos, while the overwhelming population of Anglo voters supported Jess Marley.

The December, 1977 special election and January, 1978 run-off resulted in a thirty-two vote election victory margin for Jesse Marley. There was a suspicion among Mexican Americans, however, of voting irregularities.[16] They contested the election results in state district court.[17]

Initially at issue in the litigation was the residence of persons voting in the Precinct 1 run-off election in January, 1978.[18] But the subsequent court proceedings undercovered evidence suggesting election irregularities.

The reputation of voting irregularities in Texas is widespread; but these allegations concern a very recent election and point to the relative ease with which one can affect electoral outcomes in Texas.

The following allegations by Mexican Americans became the basis for the court finding that the January run-off results were null and void and that yet another special election had to be held in August, 1978; the list of irregularities includes:

(1) a number of non-residents of precinct one registered to vote in that precinct or changed their registration from another precinct to precinct one;

(2) the registrations and changes were undertaken with the apparent knowledge of Crockett County officials;

(3) county officials color coded the votes cast absentee in order to identify and to separate votes by Mexican Americans; these votes were then illegally removed from the absentee ballot boxes [this is a violation of Articles 8.11 and 8.20 of Vernon's Annotated Texas Election Code, which prohibits election officials' knowledge of the ballot number or other identifying means used by a voter, prohibits an election officer from unfolding or examining "the face of a ballot received from an elector, nor the endorsement on the ballot. . . ." (Art. 8.20)];[19]

(4) both keys to the ballot boxes were retained by the county clerk instead of returning one key to the county sheriff (in contravention to Article 5.05 3(b) of the Texas election code;)

(5) the ballots removed from the ballot boxes illegally were then not kept under a seal and a lock, as is required by law;

(6) county officials did not follow the legal procedures required when challenging a ballot cast by an absentee voter in person (Article 8.09 of the Texas Election Code requires that, in cases of challenged votes, the voter shall be challenged by the election official before voting; the practice followed in Crockett County was to allow the voter to cast his or her ballot, to place the ballot in a color coded envelope, then to remove the ballot after the polls had closed;[20]

(7) county officials--and the candidate, Marley, took absentee ballots to individuals, a practice prohibited by the Texas Election Code (Article 5.05 8 (2a & b) requires that application for an absentee ballot be made in writing, accompanied by the applicant's

voter registration certificate--certainly a candidate in an election contest should not be in possession of absentee ballots)

(8) county officials had removed the carrier envelopes on some absentee ballots cast by mail so that it became impossible for the special election canvassing board to determine whether these absentee ballots had been illegally cast (Article 5.05 8 (6 a & b) of the Texas Election Code required that the county clerk deliver to the canvassing board the absentee ballots cast by mail with the carrier envelopes in tact.)[21]

The special election August 12, 1978 for county commissioner precinct one was the fifth and final meeting between Sostenes De Hoyos and Jesse Marley. The court also ordered that two special deputies conduct the absentee voting for the special election.[21]

After two years of protracted litigation, Justice Department intervention, sustained community voter registration drives and a substantial expenditure of time, money and energy, Sostenes De Hoyos was duly elected to the position of County Commissioner Precinct 1. But the litigation has not ended in Crockett County; in August, 1978 Sostenes De Hoyos filed a $240,000 damage suit in federal district court against Crockett County and certain individuals because they conspired to influence the outcome of the special De Hoyos-Marley election January 7, 1978. The suit alleges that County officials and then candidate Marley "conspired together to, and actually did, discourage and intimidate voters, and prevent them from casting their votes and actually removed votes which were legally cast from the ballot box."[22] The suit was settled in July of 1979 by an agreement and Federal Court Order in which the defendants refused to admit to the allegations but agreed to pay $9,000 to the counsel who handled the election contest suit together with attorneys fees for the federal action.[23] In addition, the final Federal Court Order provided:

> The Defendants and each and every person in their employ control or otherwise associated with them are hereby enjoined from any violation of Federal or State law involving the free access to or secrecy and security of the electoral process in Crockett County, Texas. 24

In conclusion, the Crockett County case study is a very recent and still unfolding drama about the struggles for fair representation in a West Texas community. The case study also supports the oft-repeated contention that "the federal courts are the 'legislature of last resort' for minority citizens in Texas." Finally, the Ozona study certainly gives credence and support to the maxim that civil rights are best secured and safe-guarded by a persistent vigilance and effort.

CHAPTER 14
FOOTNOTES

[1] Testimony, *House of Representatives Hearings . . . On Extension of the Voting Rights Act*, *supra*., 366.

[2] The author is deeply grateful for the interviews and understanding of Ozona and Crockett County given to him by Francisco Moran, Jesus F. Castro, Johnny Rodriguez and Blas Vargas. Also, the lengthy litigation struggle would not have occurred were it not for the efforts of Attorneys Jesse Roy Botello and Luis Segura.

[3] Interview, Father Larry Droll, Ozona, Texas, January 27, 1979.

[4] Interview, Thomas De Hoyos, Ozona, Texas, January 26, 1979.

[5] Interview, Hector De Hoyos, Ozona, Texas, January 26, 1979.

[6] Interview, Chon Fierro, Ozona, Texas, January 26, 1979. According to Mr. Chon Fierro, a local road contractor, local ranchers have recently closed him and his brother out of hauling contracts as a result of Fierro's visible support for newly elected county commissioner Sostenes De Hoyos.

[7] "New Ozona Zones Center of Conflict," San Angelo *Standard Times*, February 23, 1975, 1-D. The Anglo commissioners contended that they were merely complying with state law, which requires that no precinct shall have more than ten percent registered voters than any other precincts.

[8] "Mexican American Defense Attorney Warns Court of Federal Voting Act," Ozona *Stockman*, October 16, 1975, 1-A.

[9] "Crockett Redistricting Plan Ruled Invalid," San Angelo *Standard Times*, July 28, 1977, 1-A.

[10] Hector De Hoyos, Jesse Fiero, Robert Flores and Armando Reina.

[11] On July 7, 1976, the Justice Department had objected to the 1974 re-districting plan on the grounds that the county had not submitted sufficient information about the population composition of precinct one. This prompted the county to have undertaken a mid-decade federal census in the sparsely populated Crockett County.

CHAPTER 14
FOOTNOTES CONTINUED

[12] "Crockett Redistricting Plan is Ruled Invalid," San Angelo Standard, July 28, 1978, 1-A.

[13] "Federal Court Orders New Election in Precincts 1 and 3," The Ozona Stockman, September 29, 1977, 1-A.

[14] That any single individual is responsible for these handbills and newspaper ads is not the issue; rather, these practices, common to many recent election contests throughout Texas, tend to cast the electoral climate in context of racial appeals, in an "Us Against Them" division along racial or ethnic lines.

[15] "Don't Be Sorry About What Happens August 12!," (Advertisement) Ozona Stockman, August 2, 1978, 7-8. See also "Don't Be Intimidated--Vote August 12," (advertisement), Ozona Stockman August 9, 1978, 6.

[16] One of the grounds of suspicion involved discrepancies between the findings of the interim federal census and the number of registered voters in Commissioners' Precinct One. The federal census revealed that there were 299 non-Spanish surname individuals within the boundaries of Precinct One and 648 Spanish surname persons. Yet, voter registration roles immediately prior to the December special election showed 367 non-Spanish surname voters registered in Precinct One and 402 Spanish surname voters. Obviously, there were more registered Anglo voters than population according to the recent census.

The electoral importance of these irregularities is summarized by Attorney Luis Segura: "The most significant concern I had in trying the election contest was the fact that if we lost that lawsuit it would have permitted Anglo voters in Crockett County to use the 'Revolving Door' method of doubling their vote. By this, I mean that families who had properities in different precincts could change residence by merely re-registering within the thirty-day period before registrations closed. This, the Anglos had done in Jesse Marley's and Sostenes De Hoyos' election with the knowledge and assistance of many county officials, including the County District Clerk, the Tax-Assessor Collector and the Registrar." (Interview with Luis Segura, San Antonio, Texas, June 11, 1979.)

[17] De Hoyos v. Marley, #3995, 112th State District Court, Crockett Co., March, 1979.

CHAPTER 14
FOOTNOTES CONTINUED

[18] Attorney Luis Segura, representing Sostenes De Hoyos, contended that seventy-five persons had voted illegally in the run-off, while Attorney Lucius Bunton, defending Marley, contended that fourteen persons had voted illegally in that election.

[19] The legal deposition of Ms. Leta Powell, County Clerk of Crockett County, substantiates the findings of voting irregularities. The transcript of her deposition gives the mechanics of these irregularities:

Q: (by Attorney Luis Segura) Okay. And about how many (ballots) did you pull out of the regular Absentee Ballot Box Number One?

A: (by County Clerk Leta Powell) Probably about four or five.

Q: Okay. And you pulled those out after the voter had already voted and placed his ballot in there?

A: Yes.

Q: How did you do that, Ms. Powell?

A: Because I knew the color envelope that they voted, that they put their ballot in.

Q: But did you take the key to the locks of the ballot box and open them and pull them out?

A: Well, I had to every night to pack them down so that there could be room the next morning to put in more ballots. (Transcript of Powell Deposition, March, 1978, pages 22-23, lines 25 & lines 1-12.)

[20] Again, the transcript of the deposition is informative on this point:

Q: (by Attorney Luis Segura) Ms. Powell, the list that you have handed me was a list of registered voters for Crockett County, Precinct Number 1, that Mr. and Mrs. Marley gave you?

A: Yes.

Q: Okay. You are referring to the candidate, Mr. Jesse Marley and his wife; isn't that correct?

A: Yes, sir, it is.

CHAPTER 14
FOOTNOTES CONTINUED

Q: Okay. And it has some red squares next to certain names in the list; is that correct?

A: Yes, sir.

Q: Were these the names of people that you contested?

A: Yes, if they came in to vote. Some of them didn't come in.

Q: And if a person--

A: There were a lot of the white ones that she had marked there that didn't come in.

Q: What do you mean by "the white ones?"

A: Well, white people.

Q: Okay.

A: American, not the Latins, the Americans. (Transcript of Powell Deposition, pages 15, lines 9-25, page 16, lines 1-3.)

Q: Okay. When you say that you contested a ballot, would you give the voter a ballot?

A: I let him vote; yes, sir.

Q: You let him vote?

A: (Witness nods head in the affirmative.)

Q: And then you would take the ballot and put it in the third box that you call the contested box?

A: The contested box; yes, sir.

CHAPTER 14
FOOTNOTES CONTINUED

Q: Did the person know that you were contesting the ballot?

A: I don't know.

Q: Did you tell them, "I am contesting your ballot?" Did you tell the voter that?

A: No.

Q: Did you notify--

A: But we did ask them if--we would say, "Now, are you sure you are living here in Ozona; are you sure you are living in this precinct? And they would say yes, so we would let them vote. But because that red mark was by their name, then we put it in the contested box. (Transcript, supra, pages 18 and 19, lines 15-25, 1-9.)

Q: And even if they told you that they were for sure that they lived in Precinct 1, you determined that they were not because of that red mark by their name? And the red mark was a mark that had been placed there by one of the candidates in the race, Mr. Jess Marley, or his wife?

A: Yes.

[21] "Damage Suit Fails to Deter Voting," Ozona Stockman, August 12, 1978, 1-A. Significantly, these irregularities occurred in spite of observers from the Texas Secretary of State's Office; the Justice Department refused to send observers on grounds that the State observers were at the site. See also: De Hoyos v. Powell, Civil No. CA 6-78-0028 (N.D. Tex., July 11, 1979).

[22] Ibid.

[23] Ibid.

[24] Ibid.

CHAPTER 15

WALLER COUNTY: STUDENT VOTING AND REDISTRICTING

> America's youth entreated, pleaded for, demanded a voice in the governance of this nation. On campuses by the hundreds, at Lincoln's Monument by the hundreds of thousands, they voiced their frustration at their electoral impotence and their love of a country which they believed to be abandoning its ideals. Many more worked quietly and effectively within a system that gave them scant recognition. And in the land of Vietnam they lie as proof that death accords youth no protected status. Their struggle for recognition divided a nation against itself. Congress and more than three-fourths of the states have now determined in their wisdom that youth 'shall have a new birth of freedom'--the franchise. Rights won at the cost of so much individual and societal suffering may not and shall not be curtailed on the basis of hory fictions that these men and women are children tied to residential apron strings. [The California Supreme Court (96 *Cal. Rptr*. at 703, 488 P.2d at 7)]

The rich blackland farm land of rural Waller County explains the $24,000,000 average annual income gained from corn, peanuts, rice and beef. Located in Southeast Texas, approximately fifty miles from Texas' largest city, Houston, Waller County has the distinction of being this state's only majority black county.

Organized as a county in 1873, the pine woods forests of Waller County typify much of rural East Texas; the proximity to Houston, however (Waller County is in the Houston Standard Metropolitan Statistical Area), distinguishes this county from more distant and rural counties in the East Texas region. The estimated growth rate for the period 1960-1978 has been approximately twenty percent;[1] most of the newly arrived are skilled laborers and professionals who commute to Houston daily. Slowly, the composition of this East Texas County is changing as the "population spill-over" of Houston impacts the 14,285 persons residing in the county in 1970. The county is dotted by small towns, usually ten to fifteen miles distant /Hempstead (2,011), Prairie View (4,045), Katy (4,993), Waller (1,192) and Brookshire (2,165)/7

Two factors make Waller County unlike other rural East Texas areas with large concentrations of black population: (1) the establishment of Prairie View Agricultural and Mechanical College there by the 15th Texas Legislature in October, 1876 (the school has a current enrollment of 5,500 students, ninety percent of whom are black);[2] (2) the fact that, unlike many other East Texas counties, Waller had and has a small, but distinct, number of small farm owners who are black. As successful farmers who own their own land, this group has provided leadership among the black population of this county.[3]

The voting rights of the black student population of Waller County became the object of controversy during the period 1970-1978 and the black farmers took leadership positions in the county commissioner redistricting struggle which took place during the same period of time. Although the student voting issue preceded the redistricting controversy several years, in 1976 both of these issues were conjoined in a Department of Justice objection to a county reapportionment. But it is first necessary to develop the student vote issue as background to the entire Waller County controversy.

Other studies[4] have demonstrated that more intense opposition to minority political participation can be expected in demographic contexts of significant minority population concentrations. Waller County is no exception to this finding. During the late Sixties and early Seventies, students at Prairie View A. & M. began to awaken to the political potential of the county wherein their university was located.[5] The first expression of this awakening found expression in an attempt to register to vote in Waller County. No black official had been elected to a county position in Waller County since Reconstruction, despite the majority black population who lived in this county. Black student aspirations encountered a persistent and initially effective curb in the person of Tax Assessor-Collector LeRoy E. Symm, the official responsible for voter registration.

During the Seventies, there were approximately 2,000 students at Prairie View A. & M. who were living in the dorm and attending the School, but were not residents of Waller County. One such student, Charles R. Ballas, attempted to register to vote in the 1972 general election. (Students had attempted to register in Waller County since 1966.) Voter registrar Symm required Ballas to complete a "Questionnaire Pertaining to Residence," which inquired into the applicant's address, ownership of property, auto registration, phone listing, address on college records, post-graduate plans and other matters.[6] At the time of Ballas' attempt to register, the Texas Election Code did allow for the local tax assessor-collector to challenge a voter applicant's claim to residency /Article 5.17 (a)7 and require proof of residency (Article 5.21) prior to registering an individual. However, Ballas contended that the questionnaire was selectively applied (essentially to students) and was thus a denial of his and other students' right to vote.

Later federal court testimony revealed that tax assessor-collector Symm admitted that he knew personally sixty percent of the county's eligible voting population and that the questionnaire was used primarily as a measure of determining students' residence (but not exclusively applied to this population).[8] Ballas, the student, filed suit in federal court in order to challenge this local voter registration practice.[9]

This district court rendered a decision, affirmed by the Fifth-Circuit Court of Appeals, which found that the use of the questionnaire was not an infringement upon Ballas' and his fellow students' right to vote. The Fifth Circuit decision found that the questionnaire was simply another indicator in the process of establishing the residency of a registration applicant.[10] The appellate court found that:

> . . . since all of the students within Waller County are neither known (personally) to Symm nor own taxable property within the county (another means whereby residency can be established), the questionnaire is used to assist the registrar in determining their residency.
>
> The invidious discrimination argument is mitigated by the District Court's finding that Symm also required the questionnaire of some non-student applicants whom he did not know and whose name could not be found on the tax rolls.[11]

Thus, Symm continued to use the controversial questionnaire.

During the spring, 1976, a black Prairie View student--Sidney Hicks--visited Leroy Symm to discuss with him the desire that he and other students had in registering to vote. Symm explained registering "non-residents" of Waller County to vote would not be fair to the permanent residents of Waller County, ". . . who had devoted their entire lives to the County and who would be present in the county long after the students were gone."[12] Military personnel, Symm explained, were also similarly treated and affected.[13] The students proceeded with a registration drive among their peers at Prairie View; Hicks contended that 1,000 voter registration applications were mailed to the tax assessor-collector's office[14] and that only twenty-seven of these applicants were registered (all determined by Symm to be residents of Waller County).

Two other significant events were to occur before Prairie View students were to be given the right to register and to vote in Waller County. Beginning in February, 1976, Texas Secretary of State, Mark White, or his deputies, made ten visits to Waller County. White testified that he informed Symm that student status alone was not a ground upon which to determine that students were non-residents.[15] But White also told students at Prairie View that they could not automatically be registered in the location of their school, but that they had to establish legal residency. All of these negotiations were to no avail. Students remained unregistered to vote through the 1976 primary and general elections.

The second significant event was Secretary of State Mark White's issuance of Emergency Rule 004.30.05 in September, 1977. The rule forbids the use of a questionnaire or additional information of registration applicants who have properly completed a voter registration application. There is little doubt that this election order could have been called "the Waller County Emergency Rule": No other voter registrar in the State was using an additional questionnaire at this time.[16] In an extraordinary claim of local prerogative, Symm claimed that the Secretary of State had no authority to issue such an order and that he would continue to use the questionnaire until such time as the Secretary's authority was clarified.[17] The clarification which Symm sought was to come in the form of the last federal court case concerning the right of Prairie View students to vote in Waller County.

On October 14, 1976, the Attorney General of the United States brought suit against Symm's practice in U.S. v. State of Texas.[18] The three judge panel in Houston heard testimony from all of the participants in the six year old legal drama. In unequivocal terms, the court found that Symm's practice was patently and impermissably unconstitutional. The court concluded that:

> It is clearly inferable from Mr. Symm's detailed testimony on deposition and at the trial that he will register a dormitory student at Prairie View, only if the dormitory student is a Waller County native whose family lives in Waller County, or if the student has been promised a job in

> Waller County after he completes school. No Texas case supporting this procedure has been discovered. Even without reference to the unconstitutionality of Texas Election Code Article 5.08 (k), Symm's procedures and criteria with reference to dormitory students appears inconsistent with the relevant Texas cases.[19]

One important strand in the weave of evidence in this case aids in understanding the discretion exercised by officials in interpreting the rules of the participation game. Throughout this controversy, Leroy Symm had claimed that he identified approximately sixty percent of voter registration applicants by personal recognition. Attorneys representing the Justice Department asked Symm to identify those registered voters who had been registered on this basis. The U.S. government investigators then interviewed every fifth person on the list and found that a large percentage claimed that they were not personally acquainted with Symm nor did they know how Symm could have known about their place of residence.[20] Then Symm and his deputies were asked to examine the list of persons who claimed that they did not know him, seeking to give their personal knowledge of the residences of these individuals. Symm and his deputies were not able to identify the residence location of a "large number" of the persons.[21] The trial court then agreed with the Attorney General that ". . . the results of (this procedure) prove conclusively that Symm's perception as to the non-discriminatory use of his questionnaire is inaccurate."[22]

In summary, after twelve years of attempting to exercise the constitutionally guaranteed right to vote in Waller County, Prairie View A. & M. students were allowed to register and to vote in that county's 1978 primary election contests. And this occurred only as a direct result of federal intervention.

But the Waller County saga of citizen struggle for voting rights is not complete with only the Prairie View student vote issue. In Eristus Sams v. Commissioners of Waller County,[23] the forceful and politically active Mayor of the City of Prairie View, Eristus Sams, filed suit in federal court challenging the redistricting of commissioners' precincts in July, 1975. The Voting Rights Act, passed by Congress in June, 1975 and signed by President Ford August, 1975 required submission of the redistricting plan. Initially, Waller County refused; however, in a federal district court hearing, the county agreed to submit their redistricting plan to the Justice Department for Section 5 preclearance. On July 27, 1976, the Attorney General interposed an objection to the redistricting plan on the grounds that (1) registered voters, not population, was employed as the basis of the apportionment (blacks are many times registered in lower numbers than whites; thus, voter registration data would underrepresent the black population); (2) approximately 2,000 resident students of Prairie View A. & M. were not included in the apportionment on grounds that they were not eligible voters in Waller County. The Attorney General concluded that:

> Because the submitted plan excludes a significant portion of the potential black voters of Waller County, the commissioner precincts do not appear to accurately reflect black voting strength in the County. Further, since the population of the only black majority district is an estimated 2,000 more than the other districts with the inclusion of these students, the black residents of Commissioner Precinct 2 are underrepresented in relation to the other county residents. Therefore, we cannot conclude, as we must under the Voting Rights Act, that this reapportionment does not have the purpose or effect of abridging the right to vote of the black citizenry.[24]

Although the case challenging this redistricting is still pending, the Section 5 objection had the effect of requiring that 1978 elections be held under an earlier apportionment plan. The result was the election of James Muse, the first black elected to county office in Texas' only majority black county in 105 years.[25]

A county employee for nine years, Commissioner Muse has been a native of Waller County for over sixty years. A deeply religious man, Muse "wants to bring people together . . . to realize that God made us all. I want to be instrumental in it (bringing Waller Countyites together)."[26] This humble farmer's personal convictions impel him to want to know something about the job he is overseeing. Thus, he operated a road grading machine for the county for nine years; he wanted to know his job "from the bottom up, I wanted to know the hard work of it all."[27]

Muse's election was not an unchallenged event, however. Although Muse won the Democratic primary election for Commissioner's Precinct 2, it was not until late in the general election contest that a white friend informed Muse that: "You know that you have an opponent."[28] The white incumbent of Precinct 2, who had been defeated in the primary, was organizing a quiet write-in campaign against Muse.

Muse again campaigned in earnest (Democratic candidates who win the primary in Texas at the county level usually have little to concern themselves with in the general election). He won election by over 400 votes and hopes that his election will put an end to the myth that a black person cannot be elected to county office in Waller County.[29]

Perhaps the formidable and spirited black Mayor of Prairie View, Eristus Sams, summarized best the long struggle of Waller County blacks in gaining representation. With humor and wit which completely defused the white and black audience alike which packed in the Waller County courthouse for Muse's swearing in January, 1979, Mayor Sams was recognized and rose to address commissioners' court with a "demand": "Now that the first black man has been elected to county office in Waller County in 105 years, my first demand is that tomorrow he pave all of the roads going by black houses and that he black top all of my corn rows."[30] The humor, directed to the heart of white fears of black elected officials acceding solely to black demands, brought the audience to tears with laughter.

The long journey for the newly elected Commissioner Muse and the black population of Waller County thus began in laughter.

CHAPTER 15
FOOTNOTES

[1] See Poverty in Texas 1973 (A Report by the Office of Economic Opportunity, Texas Department of Community Affairs) (Austin, Texas, 1974), 259; also, Interview with Eristus Sams, Mayor of Prairie View, Texas, Prairie View, February 9, 1979.

[2] A three-man commission was appointed to locate and to build the "Agricultural and Mechanical College for Colored Youth" as a part of the Texas A.&M. system (Prairie View was to operate under the management of the Texas A.&M. College Board). See "The First Seventy-five Years at Prairie View Agricultural and Mechanical College of Texas: 1876-1951," (pamphlet, 1951). The ninety percent black school was thus founded as a segregated institution; ironically, the college campus was founded upon Colonel Jared Ellison Kirby's former plantation, the Alta Vista plantation near the town center of Prairie View. The author was aided in the historical understanding through an interview with Dr. Alvin Thomas, President, Prairie View A.&M., February 9, 1979.

[3] Interview (by telephone), Attorney David Richards, Austin, Texas, December 14, 1978; Richards has been instrumental in this and a number of East Texas redistricting cases. Also, Interview, County Commissioner James Muse (newly elected), Prairie View, February 9, 1979.

[4] V.O. Key, Jr. Southern Politics, supra, Chapter 1.

[5] Interview, Dr. Alvin Thomas, February 9, 1979.

[6] The questionnaire contained the following questions:

QUESTIONNAIRE PERTAINININGS TO RESIDENCE

The undersigned, at the request of the Registrar of Waller County, answers the following questions in support of the application of the undersigned for a voter registration certificate or for appointment as a Deputy Registrar, as the case may be:

Please print or type your name and address:____________________ ______________________________: Are you a college student?______. If so, where do you attend school?__________________. How long have you been a student at such school?_________. Where do you live while in college? ____________________. How long have you lived

CHAPTER 15
FOOTNOTES CONTINUED

in Texas? ____________________________. In Waller County?________
______________. Do you intend to reside in Waller County
indefinitely? ______________. How long have you considered
yourself to be a bona fide resident of Waller County? __________
______________. What do you plan to do when you finish your
college education? ____.
Do you have a job or position in Waller County? ________________.
Own any home or other property in Waller County? ________________.
Have an automobile registered in Waller County? ________________.
Have a telephone listing in Waller County? ______________. Belong
to a Church, Club or some Waller County Organization other than
college related? ____________________________. If so, please
name them: ____
____.
Where do you live when the college is not in session? __________
_________________. What address is listed as your home address
with the college? ____.
Give any other information which might be helpful:
____
____
____

[7] *Ballas* v. *Symm* 494 F. 2d 1167, 1170-71 (1974).

[8] *Ibid*.

[9] The district court case is styled *Ballas* v. *Symm* 351 F. Supp. 876 (S.D., Tex. 1972).

[10] *Supra*, note 7.

[11] *Ibid*. A year earlier, a Fifth Circuit panel had affirmed a district court opinion declaring unconstitutional a provision of the Texas election code which required a student to express the intention of remaining in a location permanently before being allowed to register to vote at the place where he lives while attending school. [See *Whatley* v. *Clark*, 482 F. 2d 1230 (1973).] The Ballas decision was, however, distinguished from Whatley as to the legal issue before the court (the use of the questionnaire, not residence *per se*, was the issue in the Ballas case).

CHAPTER 15
FOOTNOTES CONTINUED

[12] Testimony of Sidney Hicks, as reported in *U.S.* v. *State of Texas*, 445 F. Supp. 1245, 1248 (1978).

[13] *Ibid*.

[14] In a conference with Hicks, Symm contended that only 700 had been received in his office. *Ibid*., *supra*., n. 12.

> Court records revealed that Symm had in fact received 898 applications for voter registration which had Prairie View mailing addresses. Five hundred forty-five persons of the group were asked to complete the questionnaire; of these, 35 were registered as voters. Five hundred and ten remained unregistered. Thus, of those applying to register to vote via mail, 56.8% were effectively excluded by means of the questionnaire. In a rural county, when voter turnout would rarely exceed twenty-five percent in county election contests, 510 voters could make the difference in many election contests.

[15] Testimony by Mark White, *U.S.* v. *State of Texas*, *supra*., 1250.

[16] *Ibid*., 1249.

[17] *Ibid*., 1251.

[18] Citation *supra*., n. 12.

[19] *Ibid*., 1259.

[20] *Ibid*., 1252.

[21] *Ibid*., 1253.

[22] *Ibid*.

[23] Civil Action No. 75-H-965 (S. D. Texas, 1975) (pending).

CHAPTER 15
FOOTNOTES CONTINUED

[24] Letter of Objection, Waller County, July 27, 1976.

[25] See "Farmer is Waller's First Elected Black in Over a Century," Houston Post, December 3, 1978, 1A. This section is informed by interviews with Commissioner James Muse and Mayor Eristus Sams, Waller County, February 15, 1979. Also, Attorney David Richards, a key legal strategist in the entire controversy, was very helpful. Finally, a telephone interview with Spike Moore, legislative assistant to Texas Representative Paul Ragsdale, February 20, 1979, proved very informative.

[26] "Farmer is Waller's . . . Century," supra.

[27] Interview, February 15, 1979.

[28] Ibid.

[29] Representative Paul Ragsdale (D-Dallas County) has provided much of the technical knowledge and impetus to redistricting of local jurisdictions in forty-eight East Texas counties during the last five years. He calls his efforts the East Texas Project; the existence of such a monitoring effort will be of overwhelming importance to black East Texans after the 1980 dicennial census.

[30] Interview, Eristus Sams, February 15, 1979.

CHAPTER 16

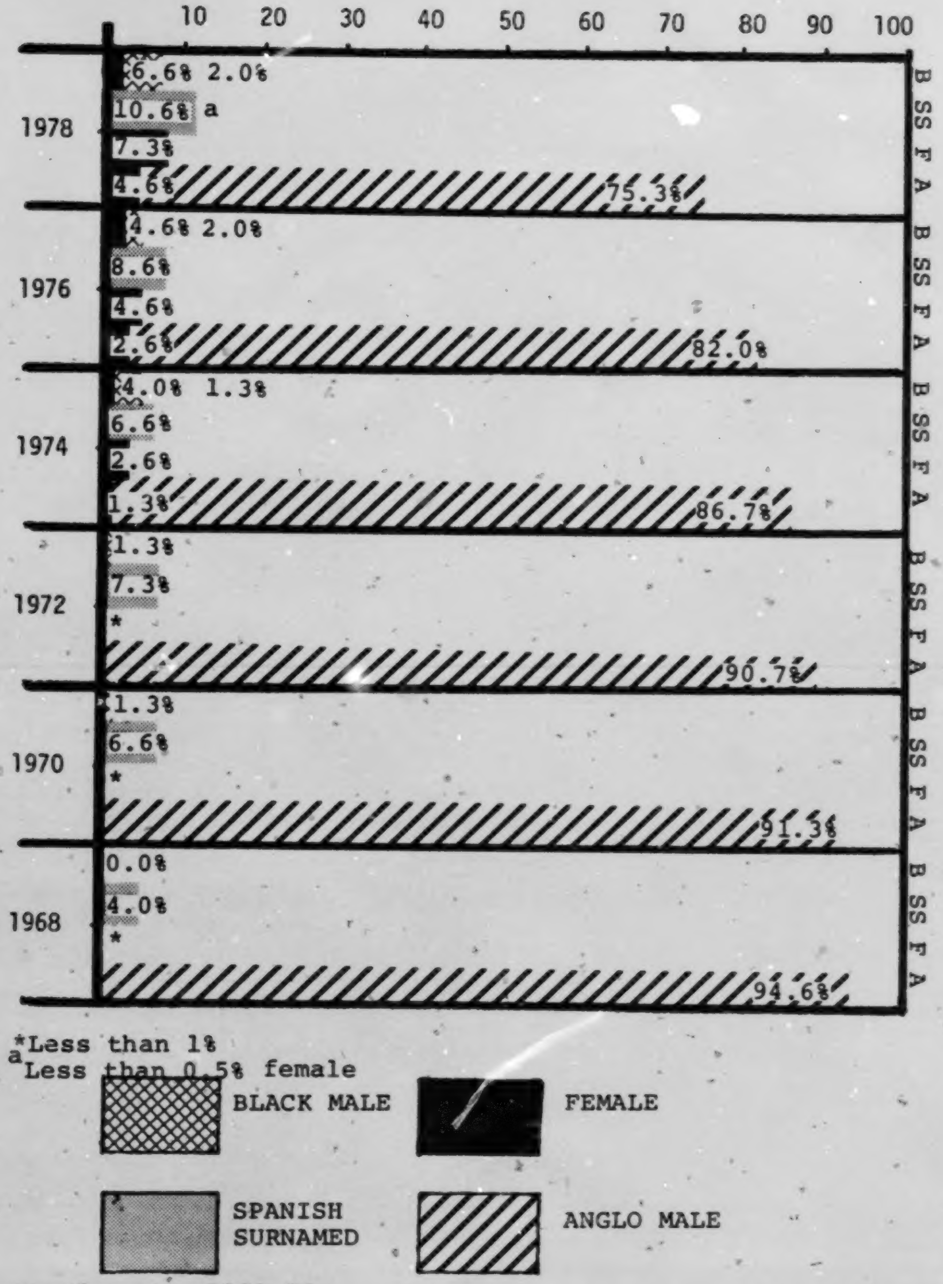
CONCLUSIONS

This ten year analysis of minority and female representation in Texas political institutions has followed several assumptions. First, the state constitutional and statutory framework governing elections and political participation has excluded or discouraged participation by blacks and Mexican Americans. The legacy of exclusion is deeply rooted in the legal and political history of the state; and, as the statistics and case studies above suggest, continues through the Seventies.

One important result of the exclusionary content of Texas' legal framework is the uniformly low representation of minorities in the major state and local governmental institutions of this state. In office after office, in position after position, there has been little or no change during 1968-78 in Mexican American and black representational proportions. The general exception to this conclusion can be found among those institutions and jurisdictions wherein federal law, such as the Voting Rights Act, or federal courts have intervened as the "court and legislature of last resort" for minority citizens. Figure 16-1 illustrates the meaning of federal court action for minority representation in the Texas House of Representatives over the period 1968-78. The minority gains which have been made in the Texas House are direct results of single member district remedies to Fourteenth and

FIGURE 16-1

CHANGE IN MINORITY AND FEMALE REPRESENTATION IN THE TEXAS HOUSE OF REPRESENTATIVES, 1968-78.



*Less than 1%

[a] Less than 0.5% female

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, Volumes 1-7.

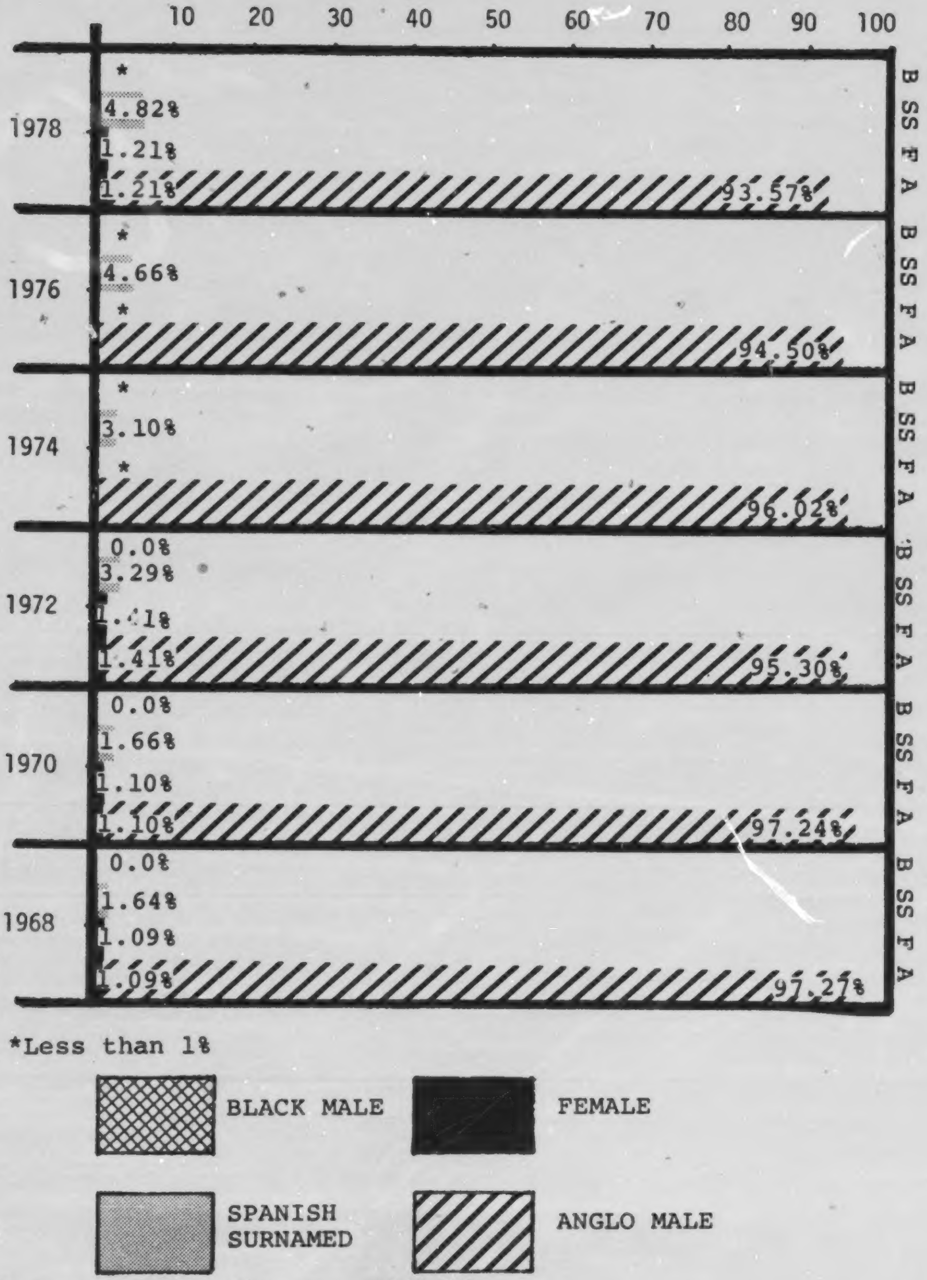
Fifteenth Amendment violations of constitutionally guaranteed voting rights. The degree to which the rules of the political game have been opened in Texas is directly related to the degree of federal presence in this state.

A second assumption of this study concerns the traditional political culture of the Lone Star State. The low female representation in state and local reprsentative bodies--both elective and appointive--has been and is explained by a political culture which confers elite status on males generally and on Anglo males specifically--the proverbial "good ole' boys." Although there appears to be minute cracks in the wall of male political dominance in Texas, the changes are few and decidedly slow for a female population whose proportions are one out of every two persons in the state. And, the abysmal representation percentages for the black and Mexican American female populations in most state and local offices cannot be said to represent any meaningful change during the past ten years. With these two groups, legal barriers and political culture converge to form an impassable curtain of exclusion.

Figures 16-2-6 illustrate that, in select state and local offices, there has been virtually no change in the proportions of Mexican American and black persons elected to these offices. In every office save those of the city council, Anglo males continue to hold nine out of ten positions (and in some instances, such as district judge, the proportion is higher). The combined percentages

FIGURE 16-2

CHANGE IN MINORITY AND FEMALE REPRESENTATION
FOR DISTRICT JUDGE, 1968-78.

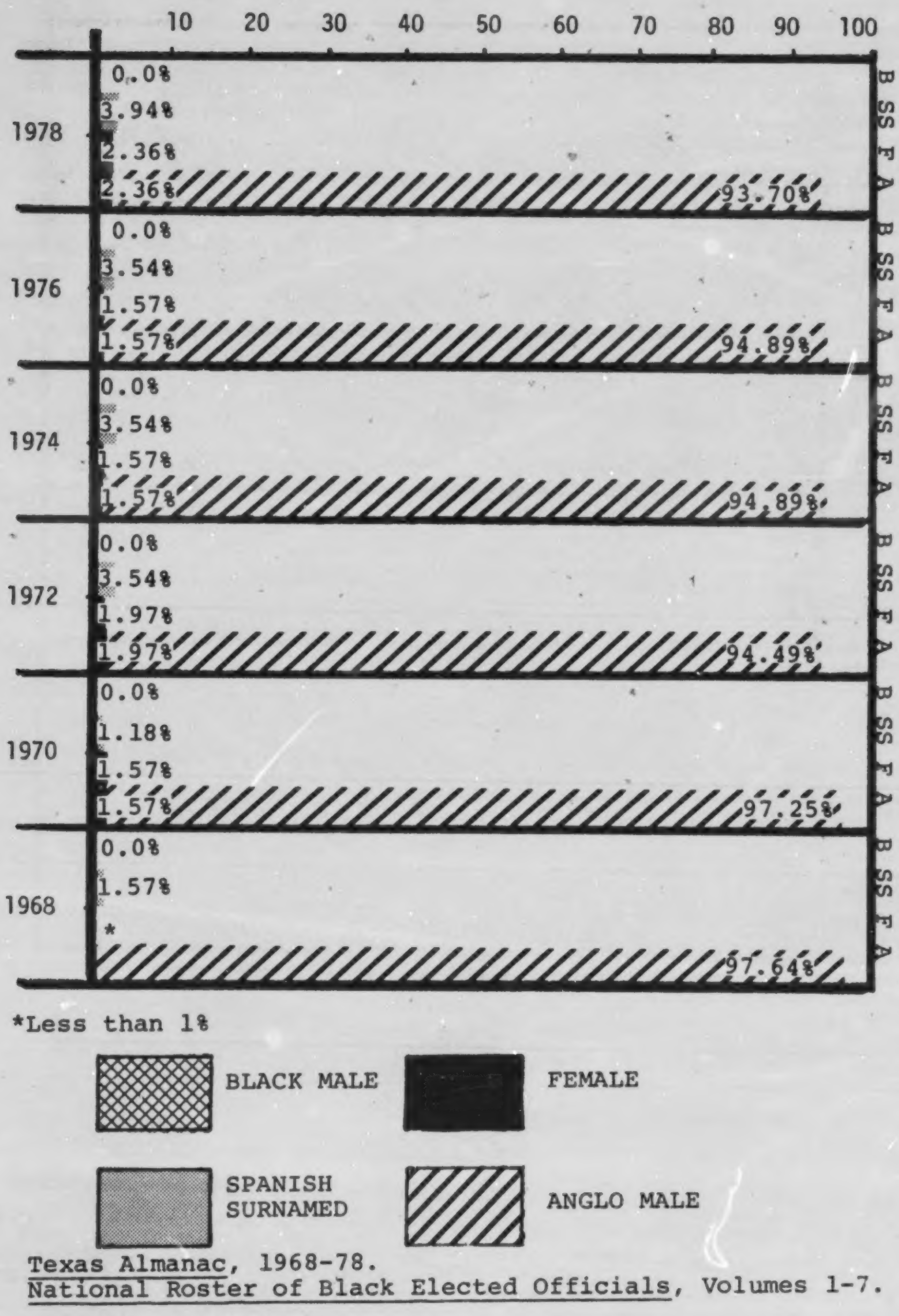


*Less than 1%

Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, Volumes 1-7.

FIGURE 16-3

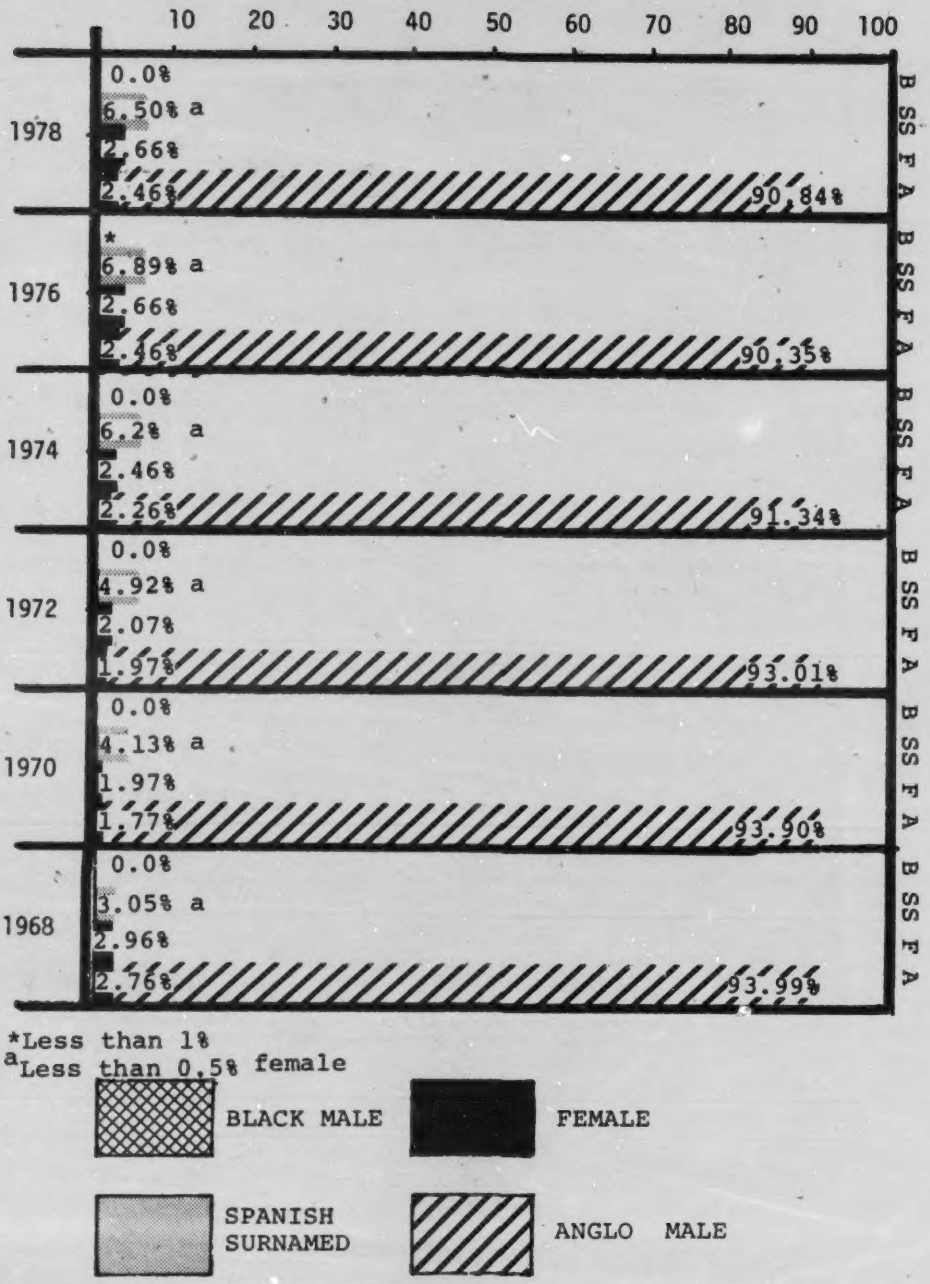
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, 1968-78.



*Less than 1%

Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, Volumes 1-7.

FIGURE 16-4
MINORITY AND FEMALE REPRESENTATION
FOR COUNTY COMMISSIONER, 1968-78.



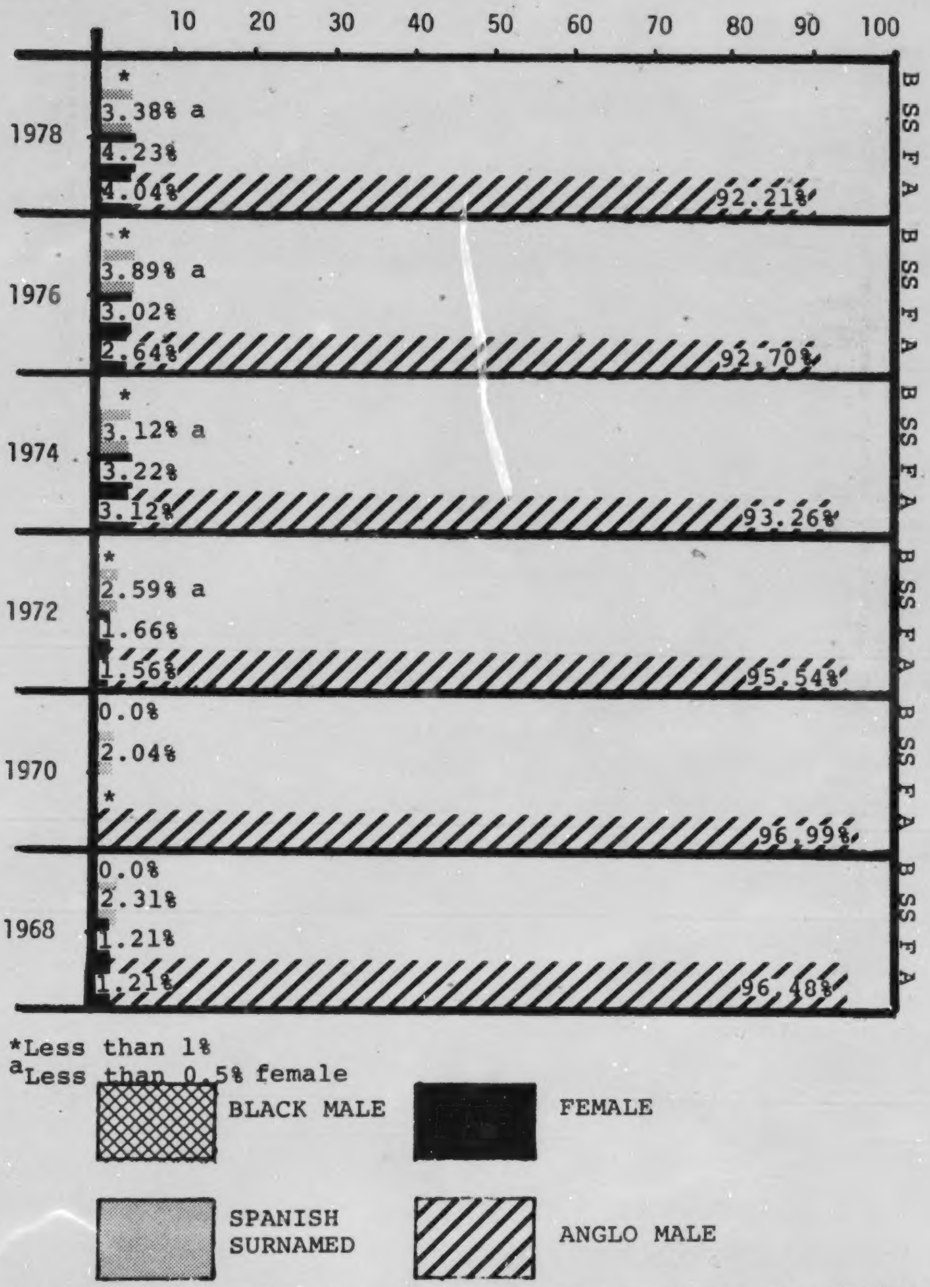
*Less than 1%

[a] Less than 0.5% female

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, Volumes 1-7.

FIGURE 16-5

CHANGE IN MINORITY AND FEMALE REPRESENTATION FOR CITY MAYOR, 1968-78.



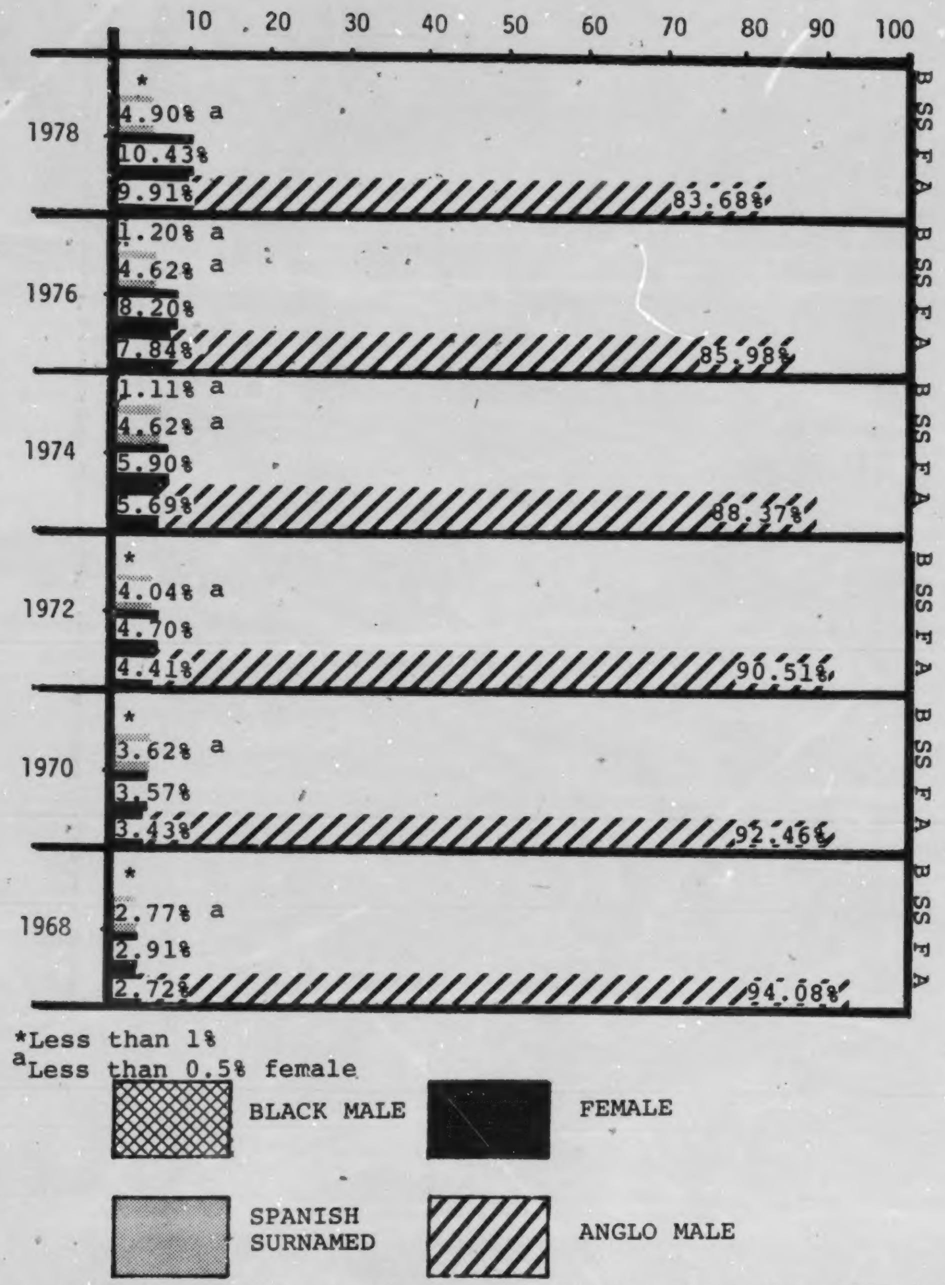
*Less than 1%

^{a}Less than 0.5% female

Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE 16-6

CHANGE IN MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, 1968-78.



*Less than 1%

[a]Less than 0.5% female

Source: Texas Municipal League's Directory of City Officials, 1968-78.

of Mexican American and black representatives only exceed fifteen percent in the city council offices (and only then during the past five years). Black and Mexican American female representation is usually too small to register on graphs in Figures 6-2-6. Minority and female representation proportions should be viewed in the context of a state with a thirty percent or more combined minority population and at least two distinct regions with a majority or near majority minority concentration (in the South and East Texas Regions).

A third assumption underlying this report is that political participation must be understood in the context of regionalism. This concept was defined and used in two ways: (1) the 1978 representation levels of Texas were contrasted with southern and southwestern "Sunbelt" states with similar minority concentrations and, for some of these states, similar legal barriers to minority participation; (2) the findings of this study were also presented in the context of six regions within Texas.

Texas does not fare that well in levels of minority representation in a contrast with other southern and southwestern states. This state's numerically large concentrations of Mexican Americans and blacks is an important consideration in reaching this conclusion. Although in 1978 congressional and state legislative comparisons there are southern states that have black representational levels lower than Texas, none has a black population larger than Texas. California, with the largest Spanish surnamed population in the nation, does have a slightly lower representation of Mexican Americans in the legislature than Texas; however, none of the other southwestern states have a Spanish surnamed population as large as Texas. These gross disparities found between minority population and representation in Texas, when combined with Texas' record of legal and cultural exclusion, testify in a regional context to the State's effectiveness and persistence in barring and discouraging minority and female participation in the political system.

The case studies provide a basis for concluding this report. In each instance, the barriers of discrimination were overcome by average citizens and dedicated professionals, who, through their enduring committment to a just and equal political process, successfully assailed the legal barriers and cultural mores. Persistence and committment by all citizens who believe in the principle of political equality are the keys to Mexican American, black and female political participation in Texas. The barriers are formidable, but the path and the resources for the journey have been clearly marked by the struggles of the past decade.

APPENDIX A-1

SELECT BOARDS - ANGLO MALE MEMBERSHIP ONLY A1-1

TEXAS AIR CONTROL BOARD

SELECTION: A nine-member board appointed by the Governor with the concurrence of the Senate for overlapping six-year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4477-5, Sec. 2.01-3.07 et seq. (1965).

FUNCTIONS: This board is responsible for safeguarding the air resources of the state by controlling or abating air pollution and emissions of air contaminants. It has the authority to adopt and promulgate rules and regulations governing air pollution.

*(Indicates select qualifications for some board members.)

Table A
Minority Representation in the
Office of the Air Control Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	6	0	9	0	9	0	9	0	9	0	9	0	51	0
TOTAL	6	0	9	0	9	0	9	0	9	0	9	0	51	0

Table B
Minority Representation in the
Office of the Air Control Board 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS ALCOHOLIC BEVERAGE COMMISSION

SELECTION: A three member commission appointed by the Governor, with concurrence of the Senate, for overlapping three year terms.

LEGAL AUTHORITY: Alcoholic Beverage Code (1977).

FUNCTIONS: The commission is charged with regulating the manufacture importation, exportation, transportation, distribution, possession, advertising and sale of alcoholic beverages in the State.

Table A
Minority Representation in the
Office of the Texas Alcoholic Beverage Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the Texas Alcoholic Beverage Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD TO CALCULATE THE AD VALOREM TAX RATE
(AUTOMATIC TAX BOARD)

SELECTION: The Governor, the State Comptroller, and the Treasurer compose this three-member board.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 7041, et seq. (1907).

FUNCTIONS: The purpose of this board is to calculate the tax to be collected each year for state and public school purposes.

Table A
Minority Representation in the
Office of the Bd. to Calculate the Ad Valorem Tax Rate 1969-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the Bd. Calculate the Ad Valorem Tax Rate 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE BANKING BOARD

SELECTION: A three member board, one of whom is appointed by the Governor with the concurrence of the Senate for a two year term.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 342-115, et seq. (1909).

FUNCTIONS: The main function of the Banking Board is to consider charter applications by state banks. The board also passes on such questions as the reopening of closed banks; the reorganization of banks; the approval of certain amendments to the articles of association; and the hearing of appeals from officers, directors, or employees on any order of removal issued by the Banking Commissioner if notice of appeal is filed within ten days.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the State Banking Bd. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the State Banking Bd. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF EAST TEXAS STATE UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 100.11 (1969).

FUNCTIONS: The board exercises general management and control over East Texas State University, located in Commerce, Texas.

Table A
Minority Representation in the
Office of the Texas Board of Regents of East Tex. St. Univ. 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		9	0	9	0	9	0	9	0	9	0	45	0
TOTAL	-		9	0	9	0	9	0	9	0	9	0	45	0

Table B
Minority Representation in the
Office of the Tex. Board of Regents of East Tex. St. Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	-		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF NORTH TEXAS STATE UNIVERSITY

SELECTION: A nine-member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms of office.*

LEGAL AUTHORITY: Education Code, Sec. 105.11 (1949).

FUNCTIONS: The purpose of the board is to exercise general supervision and control over North Texas State University in Denton, Texas.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Tex. Bd. of Regents of North Texas State Univ. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	9	0	9	0	9	0	9	0	9	0	9	0	54	0
TOTAL	9	0	9	0	9	0	9	0	9	0	9	0	54	0

Table B
Minority Representation in the
Office of the Tex. Bd. of Regents of North Texas State Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A1-7

BOARD OF REGENTS OF THE TEXAS TECH UNIVERSITY

SELECTION: A nine-member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 109.21 et seq. (1923).

FUNCTIONS: The purpose of this board is to exercise general supervision and control over the Texas Tech University and the Texas Tech University Museum located in Lubbock. The board also has the responsibility for the management of the Texas Tech University School of Medicine.

Table A
Minority Representation in the
Office of the Texas Bd. of Regents of Texas Tech Univ. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	9	0	9	0	9	0	9	0	9	0	9	0	54	0
TOTAL	9	0	9	0	9	0	9	0	9	0	9	0	54	0

Table B
Minority Representation in the
Office of the Texas Bd. of Regents of Texas Tech Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF TYLER STATE COLLEGE
(Now Texas Eastern University)

SELECTION: A nine-member board appointed by the Governor with the concurrence of the Senate for overlapping terms of six years.*

LEGAL AUTHORITY: Education Code, Sec. 113.11 et seq. (1971).

FUNCTIONS: The purpose of this board is to exercise general supervision and control over Tyler State College in Tyler, Texas.

*(Indicates specific qualifications for some members.)

Table A
Minority Representation in the
Office of the Texas Bd. of Regents of Tyler State Colleg 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	n.a.		n.a.		9	0	9	0	9	0	9	0	36	0
TOTAL					9	0	9	0	9	0	9	0	36	0

Table B
Minority Representation in the
Office of the Texas Bd. of Regents of Tyler State College 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		-		100.0		100.0		100.0		100.0		100.0	
TOTAL	-		-		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE BUILDING COMMISSION

(Abolished in 1977--functions transferred to State Board of Control)

SELECTION: Three ex-officio members: the Governor, the Attorney General, and the Chairman of the Board of Control.

LEGAL AUTHORITY: Texas Constitution: Art. III, Sec. 51-b (1954); Tex. Civ. Stat. Ann. Art. 678m (1955).

FUNCTIONS: The commission is authorized to arrange for the acquisition of all building sites, to plan and to construct all new state buildings, and to modernize and remodel old state buildings. The commission supervises planning and inspection for building projects for most state agencies. The commission also has the responsibility for enforcing the Standards and Specifications for the Construction of Public Buildings and Facilities in the State of Texas.

Table A
Minority Representation in the
Office of the State Building Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	-		15	0
TOTAL	3	0	3	0	3	0	3	0	3	0	-		15	0

Table B
Minority Representation in the
Office of the State Building Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0				100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0				100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A1-10

TEXAS COMMISSION ON HIGHWAYS AND PUBLIC TRANSPORTATION

SELECTION: Composed of three members who are citizens of the state and who are appointed by the Governor with concurrence of the Senate to serve for overlapping six year terms of office.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 6664 et seq. (1917).

FUNCTIONS: The commission has direct responsibility for construction and maintenance of all state highways, both urban and rural; including farm-to-market roads. The commission formulates general policies and functions concerning these highways and roads in a supervisory role.

Table A
Minority Representation in the
Office of Texas Commission on Highways and Public Transportation 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of Texas Commission on Highways and Public Transporation 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

INDUSTRIAL ACCIDENT BOARD

SELECTION: A three member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art 8307, Sec. 1 and 4 (1917).

FUNCTIONS: This board administers the Workmen's Compensation Act which provides for insurance for compensation of employees injured on the job. The functions of this board include duties which are clerical, supervisory and quasi-judicial in nature.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Industrial Accident Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the Industrial Accident Board 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE BOARD OF INSURANCE

SELECTION: A three member board appointed by the Governor with concurrence of the Senate for an overlapping six year term.*

LEGAL AUTHORITY: Articles 1.02-1.09, Texas Insurance Code (1957).

FUNCTIONS: The board has initial jurisdiction over policy, rules and rates and over appeals from the commissioner. In all other respects, the board must exercise its administrative functions through a Commissioner of Insurance, who serves at the pleasure of the board.

*(Includes select qualifications for some members.)

Table A
Minority Representation in the
Office of the State Board of Insurance 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the State Board of Insurance 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

INTERSTATE COMPACT COMMISSIONER
(RED RIVER)

SELECTION: A Commissioner appointed by the Governor with concurrence of the Senate for a term of two years.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art 7466 g et seq. (1949) (repealed 1971).

FUNCTIONS: The Commissioner represents the state in conferences with duly appointed compact commissioners from other affected states and with a representative of the United States designated by the President. The main responsibility of these officials is to negotiate an agreement with each of the affected states respecting the use, control and disposition of the waters of the Red River and its tributaries. The Commissioner is authorized to make the required investigations and procure data for the proper performance of his duties.

Table A
Minority Representation in the
Office of the Interstate Compact Commissioner (Red River) 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	1	0	1	0	1	0	1	0	1	0	1	0	6	0
TOTAL	1	0	1	0	1	0	1	0	1	0	1	0	6	0

Table B
Minority Representation in the
Office of the Interstae Compact Commissioner (Red River) 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE JUDICIAL QUALIFICATIONS COMMISSION
(Changed to State Commission on Judicial Conduct in 1977)

SELECTION: Composed of nine members who serve for overlapping terms of six years.*

LEGAL AUTHORITY: Constitution: Article V, Sec. 1-a (1965).

FUNCTIONS: It is the duty of the commission to receive and to consider information, complaints, or reports, formal or informal, pertaining to misconduct or disability of particular judges or justices; make preliminary investigations; conduct hearings; and order the producing of pertinant documents. In 1970, the commission's jurisdiction was extended to cover all judicial officers of the state, from Supreme Court justices to justices of the peace and municipal judges.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Ofc. of the State Judicial Qualifications Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	9	0	8	0	9	0	9	0	9	0	9	0	53	0
TOTAL	9	0	8	0	9	0	9	0	9	0	9	0	53	0

Table B
Minority Representation in the
Ofc. of the State Judicial Qualifications Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

SELECTION: Composed of 13 members, nine of whom are appointed by the Governor with concurrence of the Senate for six-year overlapping terms of office.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4413 (29aa) (1965).

FUNCTIONS: The commission was created to strengthen and to improve law enforcement officer training and education in Texas and to conduct and encourage research in this field. The commission is authorized to certify law enforcement training and education programs as having attained minimum standards established by the commission; to certify law enforcement officer instructions; and to certify law enforcement officers as having achieved certain standards of education, training and experience.

Table A
Minority Representation in the
Office of the Commission on Law Enforcement Officer Standards & Education 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	9	0	9	0	9	0	9	0	9	0	9	0	54	0
TOTAL	9	0	9	0	9	0	9	0	9	0	9	0	54	0

Table B
Minority Representation in the
Office of the Commission on Law Enforcement Officer Standards & Education 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

THE TEXAS MOTOR VEHICLE COMMISSION

SELECTION: A six person commission appointed by the Governor with the concurrence of the Senate for overlapping terms of six years. *

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4413 (36) (1971).

FUNCTIONS: The commission's main responsibility is to regulate the manufacturers, distributors and franchised dealers of new motor vehicles to provide for compliance with the manufacturers' warranties, and to prevent frauds, unfair practices, discrimination and other abuses. The commission has the responsibility of establishing qualifications for licensing dealers, manufacturers, and distributors of new motor-vehicles in Texas. It may hold hearings to determine violations of the regulations and may institute legal proceedings to enforce decisions.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Texas Motor Vehicle Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		6	0	6	0	6	0	6	0	6	0	30	0
TOTAL	-		6	0	6	0	6	0	6	0	6	0	30	0

Table B
Minority Representation in the
Office of the Texas Motor Vehicle Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	-		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

PARKS AND WILDLIFE COMMISSION

SELECTION: Composed of six members appointed by the Governor to overlapping six year terms with concurrence of the Senate.

LEGAL AUTHORITY: Parks and Wildlife Code, Secs. 11.012, 11.013, and 83.001 (1975).

FUNCTIONS: The department which the commission directs regulates game laws, administers the state parks system, implements an outdoor recreation plan, conducts research and manages freshwater resources and marine life and oversees archaeological research and historical restoration.

Table A
Minority Representation in the
Office of the Parks and Wildlife Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	6	0	6	0	6	0	6	0	30	0
TOTAL	3	0	3	0	6	0	6	0	6	0	6	0	30	0

Table B
Minority Representation in the
Office of the Parks and Wildlife Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		- -	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	-		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

PECOS RIVER COMPACT COMMISSIONER FOR TEXAS

SELECTION: A Commissioner appointed by the Governor with concurrence of the Senate for a term of two years.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 7466f (1949) (repealed 1971).

FUNCTIONS: The Pecos River Compact Commissioner for Texas, together with the commissioner for New Mexico and a commissioner appointed by the President of the United States, comprise the Pecos River Commission which is responsible for administering the Pecos River Compact.

Table A
Minority Representation in the
Office of the Pecos River Compact Commissioner for Texas 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	1	0	1	0	1	0	1	0	1	0	1	0	6	0
TOTAL	1	0	1	0	1	0	1	0	1	0	1	0	6	0

Table B
Minority Representation in the
Office of the Pecos River Compact Commissioner for Texas 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

RAILROAD COMMISSION OF TEXAS

SELECTION: Three elected (statewide) members who serve for an overlapping six year term.

LEGAL AUTHORITY: Texas Constitution: Article XVI, Sec. 30; Statute: Tex. Civ. Stat. Ann. Art. 6447 (1891).

FUNCTIONS: The commission is responsible for regulatory and enforcement duties relative not only to railroads, but also to commercial motor vehicle transportation activities, gas utilities, liquified petroleum gas and oil and gas activities.

The commission has authority over persons and companies engaged in producing, transporting, conveying, or distributing natural gas for domestic or other use. It also has regulatory powers over the liquefied petroleum gas industry and supervisory and regulatory authority over transportation

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Table A
Minority Representation in the
Office of the Railroad Commission of Texas 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the Railroad Commission of Texas 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

RAILROAD COMMISSION OF TEXAS
(CONTINUED)

FUNCTIONS: for compensation or hire of persons or property over the state's highways.

Other functions of the commission include providing for the pooling of mineral interests into proration units for an oil or gas well under certain conditions; and responsibility for the control and disposition of waste, and abatement and prevention of pollution of water, both surface and sub-surface, resulting from activities associated with the exploration, development, or production of oil or gas. In addition, the commission has the duty of licensing and regulating motor transportation brokers--persons who act as intermediaries between the public and motor carriers of fresh citrus fruits and fresh vegetables; and the responsibility of adopting and enforcing safety standards for all such transportation of gas and pipeline facilities not subject to exclusive federal control.

TEXAS REAL ESTATE COMMISSION

SELECTION: A six-member commission appointed by the Governor with concurrence of the Senate for overlapping terms of six years.*

LEGAL AUTHORITY: V.A.C.S., Article 6573a, Sec.5_a (Supp. 1977).

FUNCTIONS: The Texas Real Estate Commission is responsible for establishing and maintaining procedures for processing and approving or disapproving applications for licensure, for investigating complaints, for auditing escrow accounts and checking real estate brokerage operations, for continuing surety bonds and for initiating actions to stop violations of the law and/or to prosecute violators. The Commission also establishes standards and regulations for special real estate educational programs.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Texas Real Estate Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-				-		-	
Anglo	6	0	6	0	6	0	6	0	6	0	6	0	36	0
TOTAL	6	0	6	0	6	0	6	0	6	0	6	0	36	0

Table B
Minority Representation in the
Office of the Texas Real Estate Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

RIO GRANDE COMPACT COMMISSIONER FOR TEXAS

SELECTION: A Commissioner is appointed by the Governor with concurrence of the Senate for a term of six years.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 7466 e-1 (1939) (repealed 1971).

FUNCTIONS: The commissioner for Texas, together with the commissioners for New Mexico and Colorado and a representative chosen by the President of the United States, comprise the Rio Grande Compact Commission, which is responsible for administering the provisions of the Rio Grande Compact.

Table A
Minority Representation in the
Office of the Rio Grande Compact Commissioner for Texas 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	1	0	1	0	1	0	1	0	1	0	1	0	6	0
TOTAL	1	0	1	0	1	0	1	0	1	0	1	0	6	0

Table B
Minority Representation in the
Office of the Rio Grande Compact Commissioner for Texas 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

SABINE RIVER COMPACT COMMISSIONERS FOR TEXAS

SELECTION: Two Commissioners appointed by the Governor with concurrence of the Senate for overlapping terms of six years.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 7466i (1953) (repealed 1971).

FUNCTIONS: The commissioners for Texas, together with the commissioner for Louisiana and a commissioner designated by the President of the United States, comprise the Sabine River Compact Administration which is responsible for administering the provisions of the compact.

Table A
Minority Representation in the
Office of the Sabine River Compact Commissioners for Texas 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	2	0	2	0	2	0	2	0	2	0	2	0	12	0
TOTAL	2	0	2	0	2	0	2	0	2	0	2	0	12	0

Table B
Minority Representation in the
Office of the Sabine River Compact Commissioners of Texas 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

PUBLIC UTILITIES COMMISSION OF TEXAS

SELECTION: Composed of three members appointed by the Governor with concurrence of the Senate for overlapping six year terms

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 1446c (1975).

FUNCTIONS: The commission has the authority to regulate and to supervise every public utility in Texas. Public utilities must furnish "safe, adequate, efficient and reasonable" services.

Table A
Minority Representation in the
Office of the Utilities Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		-		-		-		3	0	3	0	6	0
TOTAL	-		-		-		-		3	0	3	0	6	0

Table B
Minority Representation in the
Office of the Utilities Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		-		-		-		100.0		100.0		100.0	
TOTAL	-		-		-		-		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS WATER DEVELOPMENT BOARD

SELECTION: A six member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms of office.

LEGAL AUTHORITY: Texas Constitution, Art. 111, Sec. 49-c (1957).

FUNCTIONS: The board is responsible for the preparation of a comprehensive state water plan and the continuation of technical programs related to water availability, water quality protection, reclamation and water-related services. The board is presently authorized to issue up to $400 million in bonds with proceeds from sale of bonds used to make loans to local political sub-divisions and to acquire an interest in water facilities projects in the State. Other current responsibilities of the Water Development Board are: (1) to act as the state cooperator in water-development planning

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Table A
Minority Representation in the
Office of the Texas Water Development Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	6	0	6	0	6	0	6	0	6	0	6	0	36	0
TOTAL	6	0	6	0	6	0	6	0	6	0	6	0	36	0

Table B
Minority Representation in the
Office of the Texas Water Development Board 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS WATER DEVELOPMENT BOARD
(CONTINUED)

FUNCTIONS: with the U.S. Bureau of Reclamation and the U.S. Army Corps of Engineers; (2) to act as the state sponsor of federal projects where no suitable local agency or agencies can undertake the task; (3) to negotiate with the federal government for inclusion of water storage space in federal projects; (4) to collect directly and by means of cooperative agreement basic data on the occurence, quantity, and quality of the surface and ground water resources of the state, carry on the program for topographic and geologic mapping of the state, and determine statewide water requirements as to quantity and quality; (5) to perform numerous service functions for protection of usable ground water resources; (6) to evaluate and to prepare for publication engineering, hydrolic, and geological data, information, and reports relating to the water resources of the state; (7) and other functions.

TEXAS WATER QUALITY BOARD
(Abolished in 1977 reorganization)

SELECTION: A seven member board, three of whom are appointed by the Governor and serve for overlapping six-year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 21.022 and 21.061 (1967).

FUNCTIONS: The board is responsible for establishing criteria governing the discharge of waste water into or adjacent to the waters of the state; issuing waste control orders for such purposes; holding public hearings on all applications for permits; conducting research and planning, both independently and in cooperation (or under contract) with other agencies, groups, or persons toward developing comprehensive water quality control programs in every part of the state; administering grants allocated to the state by the Agency and Funds appropriated by the Legislature for the planning and construction of sewage treat-

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Table A
Minority Representation in the
Office of the Texas Water Quality Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	-		15	0
TOTAL	3	0	3	0	3	0	3	0	3	0	-		15	0

Table B
Minority Representation in the

(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		-		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		-		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS WATER QUALITY BOARD
(CONTINUED)

FUNCTIONS: ment facilities; and making inspections and investigations necessary to enforce rules and regulations of the board and to insure that allocated and appropriated funds are being properly applied. The board also exercises supervision of regional water authorities in the preparation of comprehensive water quality plans.

A1-26

TEXAS WATER COMMISSION
(Formerly Water Rights Commission)

SELECTION: Three commissioners appointed by the Governor, with concurrence of the Senate, for six year overlapping terms.

LEGAL AUTHORITY: Texas Water Code, Title 2 and 4-477-7 (as amended in 1977).

FUNCTIONS: The primary functions of the commission are to administer water rights, collect data, supervise select water districts and generally "conserve (water) in the greatest practicable measure for the public welfare."

Table A
Minority Representation in the
Office of the Texas Water Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	3	0	3	0	3	0	3	0	3	0	3	0	18	0
TOTAL	3	0	3	0	3	0	3	0	3	0	3	0	18	0

Table B
Minority Representation in the
Office of the Texas Water Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		100.0		100.0	
TOTAL	100.0		100.0		100.0		100.0		100.0		100.0		100.0	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF LAMAR UNIVERSITY

SELECTION: A nine-member board appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 108.11 et seq. (1949).

FUNCTIONS: The purpose of this board is to exercise general supervision and control over Lamar University in Beaumont, Texas.

Table A
Minority Representation in the
Office of the Texas Board of Regents of Lamar University 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		1	0	1	0	2	0
Minority Representation	-		-		-		-		1	0	1	0	2	0
Anglo	9	0	9	0	9	0	9	0	8	0	8	0	52	0
TOTAL	9	0	9	0	9	0	9	0	10	0	10	0	54	0

Table B
Minority Representation in the
Office of the Texas Board of Regents of Lamar University 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		11.1		11.1		3.7	
Minority Representation	-		-		-		-		11.1		11.1		3.7	
Anglo	100.0		100.0		100.0		100.0		89.9		89.9		96.3	
TOTAL	100.0		100.0		100.0		100.0							

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF THE TEXAS STATE TECHNICAL INSTITUTE

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms.*

LEGAL AUTHORITY: Education Code, Sec. 135.21 et seq. (1969).

FUNCTIONS: The board exercises management and control over the Texas State Technical Institute in Waco.

Table A
Minority Representation in the
Office of the Texas Board of Regents of Tex. State Techn. Institute 1968-78

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		1	0	-		-		1	0	1	0	3	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		1	0	-		-		1	0	1	0	3	0
Anglo	-		8	0	9	0	9	0	8	0	8	0	42	0
TOTAL	-		8	0	9	0	9	0	8	0	8	0	42	0

Table B
Minority Representation in the

(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		11.1	0	-		-		11.1	0	11.1	0	6.7	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		11.1	0	-		-		11.1	0	11.1	0	6.7	0
Anglo	-		88.9	0	100.0	0	100.0	0	88.9	0	88.9	0	93.3	0
TOTAL	-		100.0	0	100.0	0	100.0	0	100.0	0	100.0	0	100.0	0

Source: Texas State Directory, 1968-1978; verification also requested of Board.

COMMISSION ON FIRE PROTECTION PERSONNEL STANDARDS AND EDUCATION

SELECTION: Composed of 11 members, nine of whom are appointed by the Governor with concurrence of the Senate for overlapping six-year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4413 (35) (1969).

FUNCTIONS: The commission certifies fire protection training and education programs as having attained the minimum standards suggested by the commission; certifies instructors as having qualified as fire protection instructors under such conditions as the commission may prescribe; directs research in the field of fire protection; and accepts gifts and grants for these purposes. In addition, the commission recommends curricula for advanced courses and seminars in fire science training in colleges and institutions of higher education at the request of the Coordinating Board, Texas College and University System.

Table A
Minority Representation in the
Commission on Fire Protection Personnel Standards & Education 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		1	0	1	0	1	0	2	0	2	0	7	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		1	0	1	0	1	0	2	0	2	0	7	0
Anglo	-		8	0	8	0	8	0	7	0	7	0	38	0
TOTAL	-		10	0	10	0	10	0	11	0	11	0	52	0

Table B
Minority Representation in the
Commission on Fire Protection Personnel Standards & Education 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		11.1		11.1		11.1		22.2		22.2		15.6	
Black	-		-		-		-		-		-		-	
Minority Representation	-		11.1		11.1		11.1		22.2		22.2		15.6	
Anglo	-		-		-		-		77.8		77.8		84.4	
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A2-4

HUMAN RESOURCES, DEPARTMENT OF
(Formerly State Board of Public Welfare)

SELECTION: Composed of three members of the State Board of Public Welfare who are appointed by the Governor with concurrence of the Senate for overlapping six year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 695c, Sec. 2 et seq. (1939).

FUNCTIONS: The department administers financial assistance programs including Old Age Assistance, Aid to the Blind, Aid to Permanently and Totally Disabled, and Aid to Families with Dependent Children. It also operates the Medical Assistance program. It offers a program of social services to families and children, and to the aged and disabled. Additionally, the department administers state level distribution of U.S. Department of Agriculture commodities and food stamps; participates in the Work Incentive Program; and administers social security coverage of state and local governmental employees.

*(Indicates selection qualifications for all members.)

Table A
Minority Representation in the
Office of the Human Resources, Department of 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		1	0	1	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		1	0	1	0
Anglo	3	0	3	0	3	0	3	0	3	0	2	0	17	0
TOTAL	3	0	3	0	3	0	3	0	3	0	4	0	19	0

Table B
Minority Representation in the
Office of the Human Resources, Department of 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		33.3		5.5	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		33.3		5.5	
Anglo	100.0		100.0		100.0		100.0		100.0		66.7		94.4	
TOTAL	100.0		100.0		100.0		100.0		100.0					

Source: Texas State Directory, 1968-1978; verification also requested of Board.

FINANCE COMMISSION OF TEXAS

SELECTION: Composed of nine members and divided into two sections: the Banking Section, and the Building and Loan Section. All nine members are appointed by the Governor with concurrence of the Senate to serve overlapping six year terms.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 342-103 and 342-106 (1943)

FUNCTIONS: The commission is to provide overall policy and supervisory control for three agencies: the Banking Department, the Savings and Loan Department and the office of Consumer Credit Commissioner. To accomplish its supervisory functions, the commission makes studies of the laws affecting state banks, building and loan associations and small loan regulation for the purpose of making the laws more efficient and effective.

Table A
Minority Representation in the
Office of the Texas Finance Commission 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		1	0	1	0	-		2	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		1	0	1	0	-		2	0
Anglo	9	0	9	0	8	0	8	0	8	0	9	0	51	0
TOTAL	9	0	9	0	8	0	10	0	10	0	9	0	55	0

Table B
Minority Representation in the

(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		11.1	0	11.1	0	-		3.8	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		11.1	0	11.1	0	-		3.8	0
Anglo	100.0	0	100.0	0	100.0	0	88.9	0	88.9	0	100.0	0	96.2	0
TOTAL	100.0	0	100.0	0	100.0			0		0	100.0	0		0

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS STATE BOARD OF DENTAL EXAMINERS

SELECTION: A nine-member board appointed by the Governor for overlapping terms of six years.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4543 et seq. (1897; superceded District Dental Examining Boards created in 1889).

FUNCTIONS: The purpose of this board is to examine and license individuals to practice dentistry and dental hygiene in the state. Other functions are to investigate alleged violations of the Dentistry Act, to hold hearings on rules and regulations to be adopted and promulgated by the board, and to suspend or revoke licenses on grounds specified by law.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Texas State Board of Dental Examiners 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		1	0	1	0	1	0	3	0
Minority Representation	-		-		-		1	0	1	0	1	0	3	0
Anglo	6	0	6	0	9	0	8	0	8	0	8	0	45	0
TOTAL	6	0	6	0	9	0	10	0	10	0	10	-	51	0

Table B
Minority Representation in the

(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		11.1	0	11.1	0	11.1	0	6.2	0
Minority Representation	-		-		-		11.1	0	11.1	0	11.1	0	6.2	0
Anglo	100.0	0	100.0	0	100.0	0	88.9	0	88.9	0	88.9	0	93.8	0
TOTAL	100.0	0	100.0	0	100.0	0		0		0		0		0

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS INDUSTRIAL COMMISSION

SELECTION: A nine member commission appointed by the Governor with concurrence of the Senate for overlapping six year terms; expanded to twelve in 1975.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art 5183-5190½ (1920). (1925, as amended).

FUNCTIONS: The commission is responsible for planning, organizing, and operating a program for attracting and locating new industries and promoting the expansion of existing industries in Texas.

*(Indicates select qualifications for four members.)

Table A
Minority Representation in the
Office of the Texas Industrial Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		2	0	2	0	2	0	2	0	8	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		2	0	2	0	2	0	2	0	8	0
Anglo	9	0	9	0	7	0	7	0	10	0	10	0	52	0
TOTAL	9	0	9	0	11	0	11	0	14	0	14	0	68	0

Table B
Minority Representation in the
Office of the Texas Industrial Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		22.2		22.2		16.7		16.7		13.3	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		22.2		22.2		16.7		16.7		13.3	
Anglo	100.0		100.0		77.8		77.8		83.3		83.3		86.7	
TOTAL	100.0		100.0											

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS STATE BOARD OF MORTICIANS

SELECTION: A six member board appointed by the Governor with concurrence of the Senate for overlapping terms of six years.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4582b, superceding State Board of Embalming, created in 1903).

FUNCTIONS: The board has two main functions. It prescribes and maintains standards of proficiency for embalmers and funeral directors, gives examinations, and issues and renews licenses, which may be revoked for cause. In addition, the board licenses all funeral establishments which must meet all statutory specifications before a license can be granted.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Texas State Board of Morticians 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	1	0	1	0	1	0	-		-		-		3	0
Black	-		-		1	0	1	0	1	0	1	0	4	0
Minority Representation	1	0	1	0	2	0	1	0	1	0	1	0	7	0
Anglo	5	0	5	0	4	0	5	0	5	0	5	0	29	0
TOTAL	7	0	7	0	8	0	7	0	7	0	7	0	43	0

Table B
Minority Representation in the
Office of the Texas State Board of Morticians 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	16.7		16.7		16.7		-		-		-		8.3	
Black	-		-		16.7		16.7		16.7		16.7		11.1	
Minority Representation	16.7		16.7		33.4		16.7		16.7		16.7		19.4	
Anglo	83.3		83.3		66.7		83.3		83.3		66.7	16.7	80.6	
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A2-9

STATE BOARD OF PHARMACY

SELECTION: A six member board appointed by the Governor for overlapping terms of six years.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4542a, (1907).

FUNCTIONS: The board administers the Texas Pharmacy Law governing the profession of pharmacy and its distribution of drugs and medicines. It is charged with giving examinations as a basis for registering pharmacists, issuing licenses under reciprocity agreements with other states, renewing the licenses of all registered pharmacists each year, and issuing permits for retail pharmacy stores and manufacturers of drugs and medicines.

*(Indicates select qualifications for all members.)

Table A
Minority Representation in the
Office of the State Board of Pharmacy 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	1	0	1	0	-		-		-		-		2	0
Black	-		-		-		1	0	1	0	1	0	3	0
Minority Representation	1	0	1	0	-		1	0	1	0	1	0	5	0
Anglo	5	0	5	0	6	0	5	0	5	0	5	0	31	0
TOTAL	7	0	7	0	6	0	7	0	7	0	7	0	41	0

Table B
Minority Representation in the
Office of the State Board of Pharmacy 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	16.7		16.7		-		-		-		-		5.6	
Black	-		-		-		16.7		16.7		16.7		8.3	
Minority Representation	16.7		16.7		-		16.7		16.7		16.7		13.9	
Anglo	83.3		83.3		100.0		83.3		83.3		83.3		86.1	
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE TAX BOARD
(INTANGIBLE TAX BOARD)

SELECTION: Three ex officio members: the Comptroller, the Secretary of State, and the Treasurer.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 7098 et seq. (1905).

FUNCTIONS: The board administers the ad valorem tax on intangible assets. In addition, the board has the duties of conducting investigations to increase compliance with tax laws, studying tax systems of other jurisdictions and making recommendations for improvement of the tax laws of Texas. It also is charged with determining the value of the University of Texas lands for property tax assessment by the respective counties in which they are located.

Table A
Minority Representation in the
Office of the Tx. State Tax Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		1	0	1	0	-		-		2	0
Black	-		-		-		-		-		-		-	-
Minority Representation	-		-		1	0	1	0	-		-		2	0
Anglo	3	0	3	0	2	0	2	0	3	0	3	0	16	0
TOTAL	3	0	3	0	4	0	4	0	3	0	3	0	20	0

Table B
Minority Representation in the
Office of the Tx. State Tax Board 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		33.3		33.3		-		-		11.1	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		33.3		33.3		-		-		11.1	
Anglo	100.0		100.0		66.6		66.6		100.0		100.0		88.9	
TOTAL	100.0		100.0						100.0		100.0			

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS VETERAN'S AFFAIRS COMMISSION

SELECTION: A five-member commission appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 5787, Sec. 3(a) (1963).

FUNCTIONS: The commission was created to fill the need for additional services for the increased number of veterans and their dependents in obtaining benefits available to them under federal legislation. It also assists veterans in filing claims and following them through to successful adjudication and provides the source through which Texas veterans may obtain assistance and counsel in obtaining rights and benefits.

*(Indicates select qualifications for three members.)

Table A
Minority Representation in the
Office of the Texas Veteran's Affairs Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		1	0	1	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		1	0	1	0
Anglo	5	0	5	0	5	0	5	0	5	0	4	0	29	0
TOTAL	5	0	5	0	5	0	5	0	5	0	6	0	31	0

Table B
Minority Representation in the
Office of the Texas Veteran's Affairs Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		20.0		3.3	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		20.0		3.3	
Anglo	100.0		100.0		100.0		100.0		100.0		80.0		96.7	
TOTAL	100.0		100.0		100.0		100.0		100.0					

Source: Texas State Directory, 1968-1978; verification also requested of Board.

COMMISSION ON ALCOHOLISM

SELECTION: A six member commission, appointed by the Governor, with concurrence of the Senate, for six year overlapping terms.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 5561c (1953).

FUNCTIONS: The commission serves the primary functions of coordinating state and local programs of alcohol abuse, develops and dissiminates educational and preventive programs and to develop programs for the rehabilitation of alcoholics.

Table A
Minority Representation in the
Office of the Commission on Alcoholism 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	6	0	5	0	6	0	6	0	6	0	5	1	34	1
TOTAL	6	0	5	0	6	0	6	0	6	0	5	1	34	1

Table B
Minority Representation in the
Office of the Commission on Alcoholism 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0		100.0		100.0		100.0		100.0		83.4	16.6	97.1	2.9
TOTAL	100.0		100.0		100.0		100.0		100.0		83.4	16.6	97.1	2.9

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A3-2

BOARD OF REGENTS OF MIDWESTERN UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms.

LEGAL AUTHORITY: Education Code, Sec. 103.02 et seq. (1959).

FUNCTIONS: The board exercises general control and supervision over Midwestern University in Wichita Falls.

Table A
Minority Representation in the
Office of the Board of Regents of Midwestern Univ. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-				-	
Anglo	8	1	8	1	8	1	8	1	9	0	9	0	50	4
TOTAL	8	1	8	1	8	1	8	1	9	0	9	0	50	4

Table B
Minority Representation in the
Office of the Board of Regents of Midwestern Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	88.9	11.1	88.9	11.1	88.9	11.1	88.9	11.1	88.9	11.1	100.0		92.6	7.4
TOTAL	88.9	11.1	88.9	11.1	88.9	11.1	88.9	11.1	88.9	11.1	100.0		92.6	7.4

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF WEST TEXAS STATE UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 102.11 et seq. (1969).

FUNCTIONS: The board conducts, operates, and maintains the West Texas State University.

Table A
Minority Representation in the
Office of the Texas Board of Regents of West Tx. State Univ. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		9	0	9	0	9	0	8	1	7	2	42	3
TOTAL	-		9	0	9	0	9	0	8	1	7	2	42	3

Table B
Minority Representation in the
Office of the Texas Board of Regents of West Tx. State Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-			
Anglo	-		100.0		100.0		100.0		88.9	11.1	77.8	22.2	93.3	6.7
TOTAL	-		100.0		100.0		100.0		88.9	11.1	77.8	22.2	93.3	6.7

Source: Texas State Directory, 1968-1978; verification also requested of Board.

CREDIT UNION COMMISSION

SELECTION: Composed of six members appointed by the Governor, with concurrence of the Senate, to overlapping six year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 2461-11.01 et seq. (1975).

FUNCTIONS: Determines policy for the Credit Union Department, in addition to deciding whether new applications for credit union charters meet all requirements.

*(Indicates all members must have select qualifications.)

Table A
Minority Representation in the
Office of the Credit Union Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	4	1	6	0	5	1	6	0	6	0	6	0	33	2
TOTAL	4	1	6	0	5	1	6	0	6	0	6	0	33	2

Table B
Minority Representation in the
Office of the Credit Union Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	80.0	20.0	100.0	0	83.3	16.7	100.0	0	100.0	0	100.0	0	94.3	5.7
TOTAL	80.0	20.0	100.0	0	83.3	16.7	100.0	0	100.0	0	100.0	0	94.3	5.7

Source: Texas State Directory, 1968-1978; verification also requested of Board.

FIREMEN'S PENSION COMMISSIONER

SELECTION: A commissioner appointed by the Governor to serve for a term of two years.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 6243e, Sec. 18 and 19 (1977).

FUNCTIONS: The commissioner administers the statewide Fireman's Relief and Retirement System. He or she performs the following functions: assists local boards in improving efficiency; checks all phases of local operations for compliance with the law; furnishes copies of the law and amendments to pension boards and firemen; audits local board accounts if deemed necessary; checks reports and forms coming into the office; conducts hearings on appeals when an applicant is not satisfied with the local board ruling on a pension or compensation claim; and certifies to the State Treasurer firemen's boards which are

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Table A
Minority Representation in the
Office of the Texas Firemen's Pension Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	0	1	0	1	1	0	1	0	1	0	1	0	4	2
TOTAL	0	1	C	1	1	0	1	0	1	0	1	0	4	2

Table B
Minority Representation in the
Office of the Texas Firemen's Pension Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	0	100.0	0	100.0	100.0	0	100.0	0	100.0	0	100.0	0	66.7	33.3
TOTAL	0	100.0	0	100.0	100.0	0	100.0	0	100.0	0	100.0	0	66.7	33.3

Source: Texas State Directory, 1968-1978; verification also requested of Board.

FIREMEN'S PENSION COMMISSIONER
(CONTINUED)

FUNCTIONS: qualified and entitled to consecutive appointment to the Firemen's Relief and Retirement Fund.

HISTORIC COMMISSION AND STATE LIBRARY, TEXAS

SELECTION: A six-member commission appointed by the Governor with concurrence of the Senate for overlapping six-year terms.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art 5434 et seq. (1909; originally established in 1839).

FUNCTIONS: The commission has the following principal functions: to aid and encourage library development in Texas; to administer federal grants for public library materials, service and construction under the federal Library Services and Construction Act; to collect materials related to the history of Texas and adjoining states; to preserve, classify, and publish manuscripts of the archives of Texas; to encourage historical work and research; to provide braille and large print books and magazines and materials recorded on disks and tape to persons who cannot read ordinary printed

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Table A
Minority Representation in the
Office of the Historic Commission and State Library 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	6	0	6	0	6	0	5	1	5	1	5	1	33	3
TOTAL	6	0	6	0	6	0	5	1	5	1	5	1	33	3

Table B
Minority Representation in the
Office of the Historic Commission and State Library 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	100.0	0	100.0	0	100.0	0	83.3	16.7	83.3	16.7	83.3	16.7	91.7	8.3
TOTAL	100.0	0	100.0	0	100.0	0	83.3	16.7	83.3	16.7	83.3	16.7	91.7	8.3

Source: Texas State Directory, 1968-1978; verification also requested of Board.

HISTORIC COMMISSION AND STATE LIBRARY, TEXAS
(CONTINUED)

FUNCTIONS: publications because of blindness or other physical handicap; to adopt a state plan for improving public library services and for public library construction; and to establish a state library system under the Texas Library System Act.

A3-7

TEXAS PRIVATE EMPLOYMENT AGENCY REGULATORY BOARD

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 5221 a-6 et seq. Sec. 3 (1949).

FUNCTIONS: The board is responsible for administering and enforcing the provisions of the laws which relate to the establishment and operation of private employment agencies. It is empowered to promulgate rules and regulations governing applications, examinations and licensing of operators of private employment agencies; to enforce the rules on the conduct of these agencies established by statute and by the board in regard to fees charged, the relationships between agencies, clients and employers, and referrals for employment.

*(Indicates select qualifications for all members.)

Table A
Minority Representation in the
Office of the Texas Private Employment Agency Regulatory Board 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		3	0	6	3	7	2	7	2	8	1	31	8
TOTAL	-		3	0	6	3	7	2	7	2	8	1	31	8

Table B
Minority Representation in the
Office of the Texas Private Employment Agency Regulatory Board 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		100.0	0	66.7	33.3	77.8	22.2	77.8	22.2	88.9	11.1	79.5	20.5
TOTAL	-		100.0	0	66.7	33.3	77.8	22.2	77.8	22.2	88.9	11.1	79.5	20.5

Source: Texas State Directory, 1968-1978; verification also requested of Board.

THE BOARD OF TRUSTEES OF TEACHER'S RETIREMENT SYSTEM

SELECTION: Composed of seven members, who are appointed by the Governor. The seven members serve for overlapping terms of six years; increased to nine years in 1973.*

LEGAL AUTHORITY: Texas Constitution, Art. III, Sec. 48a *1936). Tex. Civ. Stat. Ann. Art. 2922-1.01 (1937).

FUNCTIONS: The board has general responsibility for administering the statewide retirement system for persons employed in state tax-supported school, colleges, universities and educational agencies in Texas.

*(Indicates select qualifications for all board members.)

Table A
Minority Representation in the
Office of the Tx. Board of Trustees of Teacher's Retirement System 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	6	1	6	1	6	1	6	1	8	1	6	0	38	5
TOTAL	6	1	6	1	6	1	6	1	8	1	6	0	38	5

Table B
Minority Representation in the
Office of the Tx. Board of Trustees of Teacher's Retirement System 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	85.7	14.3	85.7	14.3	85.7	14.3	85.7	14.3	88.9	11.1	100.0	0	88.4	11.6
TOTAL	85.7	14.3	85.7	14.3	85.7	14.3	85.7	14.3	88.9	11.1	100.0	0	88.4	11.6

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A3-9

TEXAS COMMISSION FOR REHABILITATION

SELECTION: Composed of the six members of the Board of the Commission for Rehabilitation, appointed by the Governor with concurrence of the Senate for overlapping terms of six years.

LEGAL AUTHORITY: Education Code, Title 2, Sec. 30.01, et seq. (1969).

FUNCTIONS: The function of the commission is to provide rehabilitation of handicapped and disabled individuals so that they may engage in gainful occupations or achieve maximum personal independence. The commission provides for the construction of rehabilitation facilities and workshops and the establishment of small business enterprises operated by severely handicapped individuals. It also has the responsibility of establishing the right of individuals to receive cash benefits from the Social Security Administration.

Table A
Minority Representation in the
Office of the Texas Commission for Rehabilitation 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	-		5	1	5	1	5	1	5	1	5	1	25	5
TOTAL	-		5	1	5	1	5	1	5	1	5	1	25	5

Table B
Minority Representation in the
Office of the Texas Commission for Rehabilitation 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		-		-		-	
Anglo	n.a.		83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7
TOTAL	-		83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7	83.3	16.7

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF DIRECTORS OF THE TEXAS A & I UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 104.11 et seq. (1929).

FUNCTIONS: The board exercises general supervision and control over the Texas A & I University at Kingsville, the Texas A & I University at Laredo, and the Texas A & I University at Corpus Christi.

Table A
Minority Representation in the
Office of the Bd. of Directors of the Texas A&I University 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	2	0	2	0	2	0	2	0	2	0	2	0	12	0
Black	-		-		-		-		-		-		-	
Minority Representation	2	0	2	0	2	0	2	0	2	0	2	0	12	0
Anglo	6	1	6	1	6	1	6	1	6	1	6	1	36	6
TOTAL	10	1	10	1	10	1	10	1	10	1	10	1	60	6

Table B
Minority Representation in the
Office of the Bd. of Directors of the Texas A&I University 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	22.2		22.2		22.2		22.2		22.2		22.2		22.2	
Black	-		-		-		-		-		-		-	
Minority Representation	22.2		22.2		22.2		22.2		22.2		22.2		22.2	
Anglo	66.7	11.1	66.7	11.1	66.7	11.1	66.7	11.1	66.7	11.1	66.7	11.1	66.7	11.1
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A4-2

BOARD OF DIRECTORS OF THE TEXAS A&M UNIVERSITY SYSTEM

SELECTION: A nine member board appointed by the Governor with the concurrence of the Senate for overlapping six year terms.

LEGAL AUTHORITY: Education Code, Sec. 85.11 et seq. (1881).

FUNCTIONS: The board exercises general supervision and control over the Texas A&M University system. This includes supervision of Prairie View A.&M. College in Prairie View.

Table A
Minority Representation in the
Office of the Board of Directors of the Texas A&M University System 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		1	0	1	0
Minority Representation	-		-		-		-		-		1	0	1	0
Anglo	9	0	9	0	8	1	8	1	8	1	7	1	49	4
TOTAL	9	0	9	0	8	1	8	1	8	1	9	1	51	4

Table B
Minority Representation in the
Office of the Board of Directors of the Texas A&M University System 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		-		11.1		1.9	
Minority Representation	-		-		-		-		-		11.1		1.9	
Anglo	100.0		100.0		88.9	11.1	88.9	11.1	88.9	11.1	77.8	11.1	90.7	7.4
TOTAL	100.0		100.0		88.9	11.1	88.9	11.1	88.9	11.1				

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF PAN AMERICAN UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence by the Senate for overlapping six year terms.

LEGAL AUTHORITY: Education Code, Sec. 112.11 et seq. (1963).

FUNCTIONS: The board exercises general control and supervision over the Pan American University at Edinburg.

Table A
Minority Representation in the
Office of the Board of Regents of Pan American University 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	2	0	3	0	3	0	4	0	4	1	4	2	20	3
Black	-		-		-		-		-		-		-	
Minority Representation	2	0	3	0	3	0	4	0	4	1	4	2	20	3
Anglo	7	0	5	1	5	1	4	1	3	1	3	0	27	4
TOTAL	11	0	11	1	11	1	12	1	11	3	11	4	67	10

Table B
Minority Representation in the
Office of the Board of Regents of Pan American University 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	22.2		33.3		33.3		44.4		44.4	11.1	44.4	11.1	37.0	5.6
Black	-		-		-		-		-		-		-	
Minority Representation	22.2		33.3		33.3		44.4		44.4	11.1	44.4	11.1	37.0	5.6
Anglo	[illegible].8		55.5	11.1	55.5	11.1	44.4	11.1	33.3	11.1	33.3		50.0	7.4
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS, STEPHEN F. AUSTIN STATE UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms.

LEGAL AUTHORITY: Education Code, Sec. 101.11et seq. (1969).

FUNCTIONS: The board is responsible for the general supervision of the Stephen F. Austin State University.

Table A
Minority Representation in the
Office of the Texas Board of Regents, Stephen F. Austin State Univ. 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		1	0	1	0	1	0	-		-		3	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		1		1	0	1	0	-		-		3	0
Anglo	-		7	1	7	1	6	2	8	1	6	2	34	7
TOTAL	-		9	1	9	1	8	2	8	1	6	2	40	7

Table B
Minority Representation in the
Office of the Texas Board of Regents, Stephen F. Austin State Univ. 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		11.1		11.1		11.1		-		-		6.8	
Black	-		-		-		-		-		-		-	
Minority Representation	-		11.1		11.1		11.1		-		-		6.8	
Anglo	-		77.8	11.1	77.8	11.1	66.7	22.2	88.9	11.1	75.0	25.0	77.3	15.9
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS STATE UNIVERSITY SYSTEM BOARD OF REGENTS
(Formally Board of Regents, State Senior Colleges)

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping terms of six years.

LEGAL AUTHORITY: Education Code, Sec. 95.01et seq. (1911; name changed in 1975).

FUNCTIONS: The board exercises general supervision and control over the following state universities: Sam Houston State University, Southwest Texas State University, Sul Ross State University, and Angelo State University.

Table A
Minority Representation in the
Office of Texas State University System Bd. of Regents 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	1	0	-		-		-		-		-		1	0
Black	-		-		-		-		-		-		-	
Minority Representation	1	0	-		-		-		-		-		1	0
Anglo	7	1	8	1	8	1	8	1	8	1	7	2	46	7
TOTAL	9	1	8	1	8	1	8	1	8	1	7	2	48	7

Table B
Minority Representation in the
Office of Texas State Univ. System Bd. of Regents 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	11.1		-		-		-		-		-		1.9	
Black	-		-		-		-		-		-		-	
Minority Representation	11.1		-		-		-		-		-		1.9	
Anglo	77.8	11.1	88.7	11.1	88.7	11.1	88.7	11.1	88.7	11.1	77.8	22.2	87.1	12.9
TOTAL		11.1	88.7	11.1	88.7	11.1	88.7	11.1	88.7	11.1	77.8	22.2		12.9

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A4-6

BOARD OF REGENTS, TEXAS SOUTHERN UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms.

LEGAL AUTHORITY: Education Code, Sec. 106.11 et seq. (1947).

FUNCTIONS: The board exercises general authority and control over Texas Southern University in Houston. Until 1951, T.S.U. was named Texas State University for Negroes.

Table A
Minority Representation in the
Office of Board of Regents, Texas Southern University 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		1	0	1	0	2	0
Black	-		-		-		6	0	5	1	5	1	16	2
Minority Representation	-		-		-		6	0	6	1	6	1	18	2
Anglo	-		-		-		3	0	2	0	2		7	0
TOTAL														

Table B
Minority Representation in the
Office of the Board of Regents, Texas Southern University 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		11.1		11.1		7.4	
Black	-		-		-		66.7		55.5	11.1	55.5	11.1	59.3	7.4
Minority Representation	-		-		-		66.7		66.7	11.1	66.7	11.1	66.7	7.4
Anglo	-		-		-		33.3		22.2		22.2		25.9	
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A4-7

BOARD OF REGENTS OF THE TEXAS WOMEN'S UNIVERSITY

SELECTION: A nine member board appointed by the Governor with concurrrence of the Senate for overlapping terms of six years.*

LEGAL AUTHORITY: Education Code, Sec. 107.21 et seq. (1901).

FUNCTIONS: The board has general supervision and control over the Texas Woman's University in Denton.

*(Indicates select qualifications for four members.)

Table A
Minority Representation in the
Office of the Board of Regents of the Texas Woman's University 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		1	0	1	0	2	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		1	0	1	0	2	0
Anglo	6	3	5	4	4	5	4	4	3	5	2	6	24	27
TOTAL	6	3	5	4	4	5	4	4	5	5	4	6	28	27

Table B
Minority Representation in the
Office of the Board of Regents of the Texas Woman's University 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed	-		-		-		-		11.1		11.1		3.8	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		-		11.1		11.1		3.8	
Anglo	66.7	33.3	55.5	44.4	44.5	55.5	44.4	44.4	33.3	55.5	22.2	66.7	45.3	50.9
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF THE UNIVERSITY OF HOUSTON

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.

LEGAL AUTHORITY: Education Code, Sec. 111.11 (1961), et seq. (1971).

FUNCTIONS: The board exercises general supervision and control over the University of Houston in that city and in Clear Lake City.

Table A
Minority Representation in the
Office of the Board of Regents of the University of Houston 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		1	0	1	0	1	0	3	0
Minority Representation	-		-		-		1	0	1	0	1	0	3	0
Anglo	8	1	8	1	8	1	7	1	7	1	7	1	45	6
TOTAL	8	1	8	1	8	1	9	1	9	1	9	1	51	6

Table B
Minority Representation in the
Office of the Board of Regents of the University of Houston 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		11.1		11.1		11.1		5.6	
Minority Representation	-		-		-		11.1		11.1		11.1		5.6	
Anglo	88.9	11.1	88.9	11.1	88.9	11.1	77.8	11.1	77.8	11.1	77.8	11.1	83.3	11.1
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping terms of six years.

LEGAL AUTHORITY: Constitution: Art. VII. Sec. 10; Education Code, Sec. 65.11 et seq. (1881).

FUNCTIONS: The board exercises general supervision and control over the following component units: System Offices--Central Administration, The University of Texas at Austin, the University of Texas at Arlington, the University of Texas at El Paso, The University of Texas Medical Branch at Galveston, The University of Texas Southwestern Medical School at Dallas, The University of Texas Medical School at San Antonio, The University of Texas Nursing School (system-wide), The University of Texas Dental Branch at Houston, The University of Texas Graduate School of Biomedical Science at Houston, the University of Texas School

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Table A
Minority Representation in the
Office of the Board of Regents of the University of Texas System 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	1	0	1	0	-	0	-	0	-	0	-	0	2	0
Black	-		-		-		-		-		-		-	
Minority Representation	1	0	1	0	-		-		-		-		2	0
Anglo	8	0	8	0	8	1	8	1	8	1	7	2	47	5
TOTAL	10	0	10	0	8	1	8	1	8	1	7	2	51	5

Table B
Minority Representation in the
Office of the Board of Regents of the University of Texas System 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	11.1		11.1		-		-		-		-		3.7	
Black	-		-		-		-		-		-		-	
Minority Representation	11.1		11.1		-		-		-		-		3.7	
Anglo	88.9		88.9		88.9	11.1	88.9	11.1	88.9	11.1	77.8	22.2	87.0	9.3
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
(CONTINUED)

FUNCTIONS: of Public Health at Houston, The University of Texas M.D. Anderson Hospital and Tumor Institute at Houston, Texas Memorial Museum, The University of Texas of the Permian Basin, The University of Texas at Dallas, the University of Texas Medical School at Houston, the University of Texas at San Antonio, the University of Texas Dental School at San Antonio, The University of Texas (clinical) Nursing School at San Antonio, the University of Texas Medical School, and the University of Texas Nursing School at Galveston.

In addition, the board has the statutory duty of managing the University Permanent Fund. The board also has control of the Institute of Texan Cultures, the Texas State Exhibits Building at Hemisfair 1968, and all related lands and improvements, as authorized by the action of the 61st Legislature.

COORDINATING BOARD, TEXAS COLLEGE & UNIVERSITY SYSTEM

SELECTION: An 18 member board appointed by the Governor with concurrence of the Senate for overlapping six-year terms.

LEGAL AUTHORITY: Education Code, Sec. 61.021 et seq. (1965).

FUNCTIONS: The board has the statutory responsibility of providing leadership and coordination for the Texas higher education system, institutions, and governing boards. Among the chief areas of board responsibility are those of long-range planning for orderly development of the Texas system of higher education; program development and allocation; financial planning; planning and development to insure efficient use of construction funds and orderly development of physical plants; administration of state student aid programs; and collection, analysis, and dissemination of

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Table A
Minority Representation in the
Office of the Coordinating Board, Texas College & University System 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	1	0	-		1	0	1	0	1	0	1	0	5	0
Black	-		-		-		-		-		-		-	
Minority Representation	1	0	-		1	0	1	0	1	0	1	0	5	0
Anglo	16	1	18	0	16	1	16	1	15	1	16	1	97	5
TOTAL	18	1	18	0	18	1	18	1	17	1	18	1	107	5

Table B
Minority Representation in the
Office of the Coordinating Board, Texas College & University System 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	5.5		-		5.5		5.5		5.8		5.5		4.7	
Black	-		-		-		-		-		-		-	
Minority Representation	5.5		-		5.5		5.5		5.8		5.5		4.7	
Anglo	88.9	5.5	100.0		88.9	5.5	88.9	5.5	88.2	5.8	88.9	5.5	90.7	4.7
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

COORDINATING BOARD, TEXAS COLLEGE & UNIVERSITY SYSTEM
(CONTINUED)

FUNCTIONS: data. The board also performs functions relating to institutional faculties and the achievement of teaching excellence. The board is responsible for adopting policies, enacting regulations and establishing general rules necessary for fulfilling its responsibilities in regard to the community junior colleges of Texas. In addition, the board administers certain state programs designed to assist needy Texas students to attend college.

TEXAS EDUCATION AGENCY STATE BOARD OF EDUCATION

SELECTION: Composed of 21 members who are elected from each congressional district of the state for overlapping six year terms; increased to 24 after 1971.

LEGAL AUTHORITY: Education Code, Sec. 11.21 et seq. (1949).

FUNCTIONS: The primary responsibility of the TEA State Board of Education involves the financing of public education with state funds allocated to local school districts in the form of (1) per capita aid and (2) payments from the Minimum Foundation School Program. In addition, funds from the federal government for programs related to public education are handled through the TEA.

Table A
Minority Representation in the
Office of the Texas Education Agency State Board of Education 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		1	0	1	1	2	0	4	1
Black	-		-		-			-	1	0	1	0	2	0
Minority Representation	-		-		-		1	0	2	1	3	0	7	1
Anglo	21		20	1	20	1	19	3	19	2	16	5	115	12
TOTAL	21	0	20	1	20	1	21	3	23	4	22	5	128	14

Table B
Minority Representation in the
Office of the Texas Education Agency State Board of Education 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		4.2		4.2	4.2	8.4		2.9	0.7
Black	-		-		-			-	4.2	0	4.2		2.2	
Minority Representation	-		-		-		4.2		8.4	4.2	12.5		5.2	0.7
Anglo	100.0		95.2	4.8	95.2	4.8	79.2	12.5	79.2	8.4	66.7	20.8	85.2	8.9
TOTAL	100.0		95.2	4.8	95.2	4.8								

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS EMPLOYMENT COMMISSION

SELECTION: A three member commission appointed by the Governor for overlapping six year terms of office.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 5221b-8 et seq. (1936).

FUNCTIONS: The primary function of the commission involves the collection of taxes from employers, the operation of a system of free public employment offices in 91 Texas cities and towns to serve employers and workers throughout the state; the operation through these offices of an unemployment insurance program for qualified unemployed workers; and the compliance with federal regulations governing the expenditure of sums alloted under the Social Security Act for the administration of the employment security program in Texas. Within its basic authority, the commission acts as agent for the federal government in the administration of federal

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Table A
Minority Representation in the
Office of the Texas Employment Commission 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		1	0	1	0	2	0
Minority Representation	-		-		-		-		1	0	1	0	2	0
Anglo	2	1	3	0	3	0	3	0	2	0	2	0	15	1
TOTAL	2	1	3	0	3	0	3	0	4	0	4	0	19	1

Table B
Minority Representation in the
Office of the Texas Employment Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		33.3		33.3		11.1	
Minority Representation	-		-		-		-		33.3		33.3		11.1	
Anglo	66.7	33.3	100.0		100.0		100.0		66.7		66.7		83.3	5.5
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEXAS EMPLOYMENT COMMISSION

FUNCTIONS: unemployment compensation programs. Under this same authority, the commission performs manpower-oriented duties under various federal acts, such as the Manpower Development and Training Act and programs of the Office of Economic Opportunity which are directed toward the training or retraining and job placement of persons in the "hard core" of unemployment.

*(Indicates select qualifications for all members.)

TEXAS BOARD OF HEALTH RESOURCES
(Formerly State Board of Health)

SELECTION: A nine member board appointed by the Governor with concurrence of the Senate for overlapping terms of six years; increased to eighteen in 1975.*

LEGAL AUTHORITY: Texas Constitution: Art XVI, Sec. 32; Tex. Civ. Stat. Ann. Art. 4415a (1927).

FUNCTIONS: The board provides general supervision and control of the department whose responsibility is maintaining a wide variety of programs aimed at protecting and promoting the health of the people of Texas.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of Texas Board of Health Resources 1968-1978

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed		-		-		-	1	1	1	1	2	1	4	3
Black		-		-		-		-	1	0	1	0	2	0
Minority Representation		-		-		-	1	1	2	1	3	1	5	3
Anglo	9	0	9	0	9	0	7	0	14	1	13	1	61	2
TOTAL	9	0	9	0	9	0	9	2	18	3	19	3	72	8

Table B
Minority Representation in the
Office of Texas Board of Health Resources 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968 M	1968 F	1970 M	1970 F	1972 M	1972 F	1974 M	1974 F	1976 M	1976 F	1978 M	1978 F	Total 1968 - 1978 M	Total 1968 - 1978 F
Spanish Surnamed		-		-		-	11.1	11.1	5.5	5.5	11.1	5.5	5.6	4.2
Black		-		-		-		-		-	5.5	0	2.8	0
Minority Representation		-		-		-	11.1	11.1	5.5	5.5	16.7	5.5	7.0	4.2
Anglo	100.0		100.0		100.0		77.8		77.8	5.5	72.2	5.5	85.9	2.8
TOTAL														

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A4-14

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SELECTION: A twenty-six member commission twenty-four of whom are appointed by the Governor, to include numerous state and local elected officials.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4413 (32b) (1971).

FUNCTIONS: The primary function is to improve coordination and cooperation between the state and local governmental entities of Texas and between the national and state government.

*(Indicates selected qualifications for some members.)

Table A
Minority Representation in the
Office of the Advisory Commission on Intergovernmental Relations 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		1	0	1	0	-		2	0
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		1	0	1	0	-		2	0
Anglo	n.a.		n.a.		24	0	22	1	22	1	22	1	92	3
TOTAL	-		-		24	0	24	1	24	1	22	1	96	3

Table B
Minority Representation in the
Office of the Advisory Commission on Intergovernmental Relations 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		4.2		4.2		-		2.1	
Black	-		-		-		-		-		-		-	
Minority Representation	-		-		-		4.1		4.2		-		2.1	
Anglo	n.a.		n.a.		100.0		91.7	4.2	91.7	4.2	91.7	4.2	94.8	3.8
TOTAL	-		-		100.0									

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF LAW EXAMINERS

SELECTION: A five-member board appointed by the Supreme Court for terms of two years;* increased to nine members, 1977.

LEGAL AUTHORITY: Tex. Civ. Ann. Art. 304 (1909).

FUNCTIONS: This board passes upon the eligibility of candidates for examination to practice law in Texas, conducts regular examinations in Austin three times annually and certifies successful applicants to the Supreme Court for issuance of licenses.

*(Indicates select qualifications for some members.)

Table A
Minority Representation in the
Office of the Board of Law Examiners 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		1	0	1	0	2	0
Minority Representation	-		-		-		-		1	0	1	0	2	0
Anglo	5	0	5	0	5	0	5	0	3	1	6	2	29	3
TOTAL	5	0	5	0	5	0	5	0	5	1	8	2	33	3

Table B
Minority Representation in the
Office of the Board of Law Examiners 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		20.0		11.1		5.9	
Minority Representation	-		-		-		-		20.0		11.1		5.9	
Anglo	100.0		100.0		100.0		100.0		60.0	20.0	66.7	2.22	85.3	8.8
TOTAL	100.0		100.0		100.0		100.0							

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF MENTAL HEALTH AND MENTAL RETARDATION

SELECTION: Composed of nine members of the Texas Board of Mental Health and Mental Retardation appointed by the Governor with concurrence of the Senate for overlapping six year terms of office.

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art 5547-202 et seq. (1965).

FUNCTIONS: The board has jurisdiction over the state's 17 schools and hospitals for the mentally ill and mentally retarded. They are charged with emphasizing continuity of care for the retarded and mentally ill, and deemphasizing residency in institutions.

Table A
Minority Representation in the
Board of Mental Health and Mental Retardation 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		1	0	0	1	0	1	0	1	0	1	1	4
Black	-		-		-		-		-		0	1	0	1
Minority Representation	-		1	0	0	1	0	1	0	1	0	2	1	5
Anglo	8	1	7	1	8	0	8	0	8	0	6	1	45	3
TOTAL	8	1	9	1	8	2	8	2	8	1	6	5	47	13

Table B
Minority Representation in the
Board of Mental Health and Mental Retardation 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		11.1			11.1		11.1		11.1		11.1	1.8	7.4
Black	-		-		-		-		-			11.1	0	1.8
Minority Representation	-		11.1			11.1		11.1		11.1		22.2	1.8	9.3
Anglo	88.9	11.1	77.8	11.1	88.9	0	88.9	0	88.9		66.7	11.1	83.3	5.5
TOTAL	88.9	11.1		11.1	88.9		88.9		88.9		66.7			

Source: Texas State Directory, 1968-1978; verification also requested of Board.

A4-17

TEXAS STATE BOARD OF NURSE EXAMINERS

SELECTION: A six member board appointed by the Governor for overlapping six year terms.*

LEGAL AUTHORITY: Tex. Civ. Stat. Ann. Art. 4513 (1923).

FUNCTIONS: Issues licenses to registered nurses in Texas, grants accreditation to schools of nursing and hears testimony concerning revocation or suspension of licenses.

*(Indicates select qualifications for all board members.)

Table A
Minority Representation in the
Office of the Texas State Board of Nurse Examiners 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-		0	1	0	1	0	2
Minority Representation	-		-		-		-		0	1	0	1	0	2
Anglo	0	6	0	6	0	6	1	5	1	4	1	4	3	31
TOTAL	0	6	0	6	0	6	1	5	1	6	1	6	3	35

Table B
Minority Representation in the
Office of the Texas State Board of Nurse Examiners 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		-		-		-	
Black	-		-		-		-			16.7		16.7		5.6
Minority Representation	-		-		-		-			16.7		16.7		5.6
Anglo		100.0		100.0		100.0	16.7	83.3	16.7	66.7	16.7	66.7	8.3	91.7
TOTAL		100.0		100.0		100.0	16.7	83.3	16.7		16.7		8.3	

Source: Texas State Directory, 1968-1978; verification also requested of Board.

BOARD OF PARDONS & PAROLES

SELECTION: A three-member board appointed by the Governor and judicial officials. Six parole commissioners are also appointed. Senate must concur on overlapping six year terms.*

LEGAL AUTHORITY: Texas Constitution: Art. IV, Sec. 11 (1936).

FUNCTIONS: The board's first major responsibility is to advise the Governor in the exercise of his traditional function of executive clemency. The second major activity of the board is to administer the parole system for the state.

Table A
Minority Representation in the
Office of the Board of Pardons & Paroles 1968-1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		1	0	-		3	0
Black	-		-		-		-		1	0	1	0	2	0
Minority Representation	-		-		-		-		2	0	3	0	5	0
Anglo	3	0	3	0	3	0	2	1	5	2	4	2	20	5
TOTAL	3	0	3	0	3	0	2	1	9	2	8	2	30	5

Table B
Minority Representation in the
Office of the Board of Pardons & Paroles 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-		-		-		-		11.1		22.2		10.0	
Black	-		-		-		-		11.1		11.1		6.7	
Minority Representation	-		-		-		-		22.2		33.3		16.7	
Anglo	100.0		100.0		100.0		66.7	33.3	55.5	22.2	44.4	22.2	66.7	16.7
TOTAL	100.0		100.0		100.0		66.7	33.3		22.2		22.2		16.7

Source: Texas State Directory, 1968-1978; verification also requested of Board.

TEACHER'S PROFESSIONAL PRACTICES COMMISSION

SELECTION: A 15 member commission appointed by the Governor with concurrence of the Senate for overlapping two year terms of office.*

LEGAL AUTHORITY: Education Code, Sec. 13.203 et seq. (1969).

FUNCTIONS: The commission is responsible for developing and adopting a code of ethics and standard practices to regulate and govern the conduct of members of the teaching profession. It also acts in an advisory capacity to the Commission of Education in enforcing and interpreting the code.

*(Indicates select qualifications for all members.)

Table A
Minority Representation in the
Office of the Teacher's Professional Practices Commission 1968 1978

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	n.a.		0	1	0	1	0	1	1	1	1	1	2	5
Black	-		-		-		-		-		-		-	
Minority Representation	n.a.		0	1	0	1	0	1	1	1	1	1	2	5
Anglo	n.a.		5	9	6	8	6	8	7	6	6	7	30	39
TOTAL	-		5	11	6	10	6	10	9	8	8	9	34	48

Table B
Minority Representation in the
Office of the Teacher's Professional Practices Commission 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	-			6 7		6.7		6.7		6.7	6.7	6.7	2.7	6.7
Black	-		-		-		-		-		-		-	
Minority Representation	-			6.7		6.7		6.7		6.7	6.7	6.7	2.7	6.7
Anglo	-		33.3	60.0	40.0	53.3	40.0	53.3	46.7	40.0	40.0	46.7	40.0	50.7
TOTAL	-													

Source: Texas State Directory, 1968-1978; verification also requested of Board.

STATE TEXTBOOK COMMITTEE

SELECTION: A 15 member committee appointed by the State Board of Education upon the recommendation of the Commissioner of Education for a one-year term.*

LEGAL AUTHORITY: Education Code, Sec. 12.11 (1929).

FUNCTIONS: The purpose of the committee is to recommend for adoption a complete list of books selected from the books submitted by publishers in response to the call for bids issued each year by the State Board of Education.

*(Indicates select qualifications for all members.)

Table A
Minority Representation in the
Office of the State Textbook Committee 1968-1978

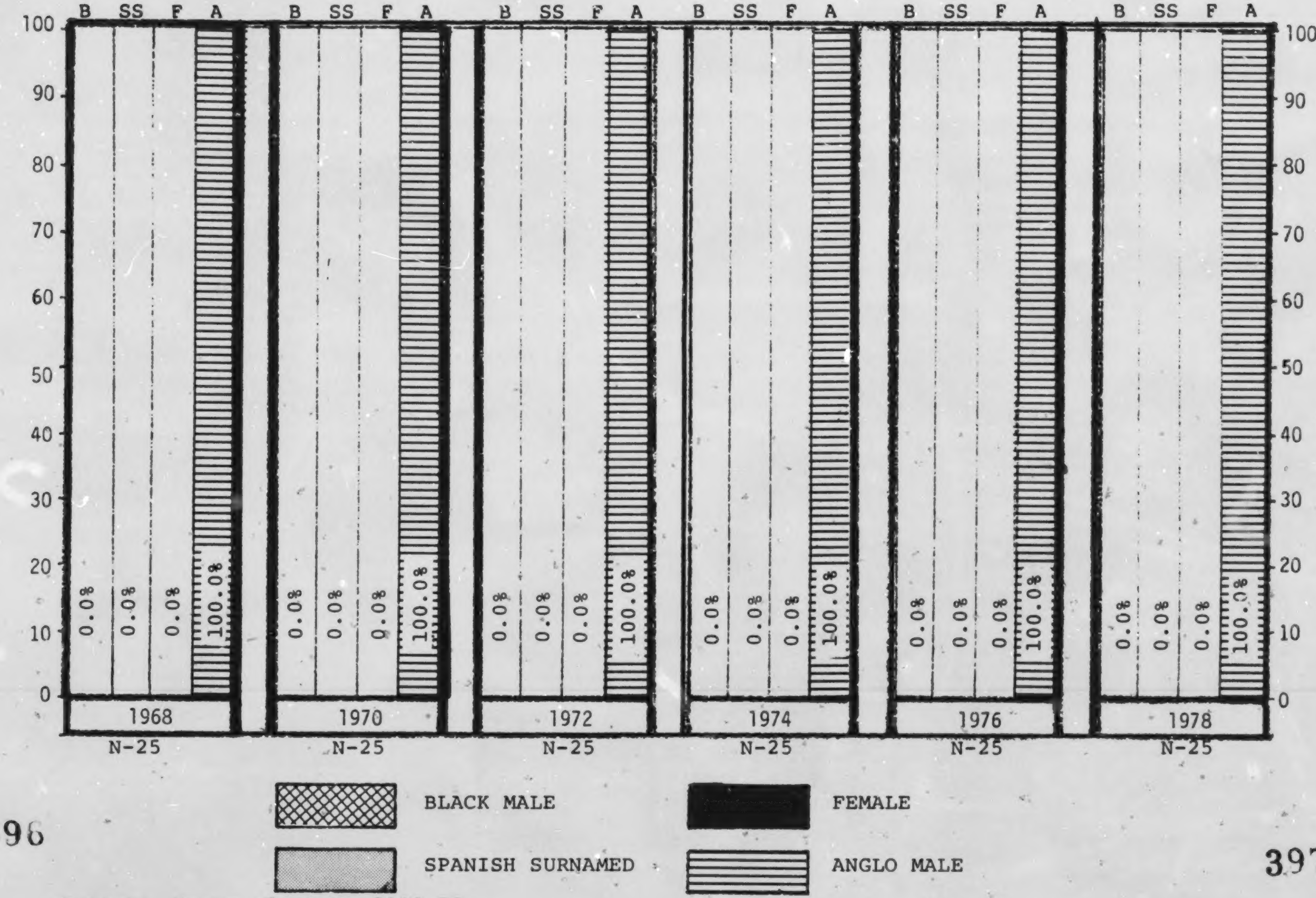
Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	1	0	2	0	1	0	1	0	1	0	0	2	6	2
Black	-		-		-		-		-		-		-	
Minority Representation	1	0	2	0	1	0	1	0	1	0	0	2	6	2
Anglo	6	8	13	0	6	8	4	10	4	10	5	8	38	44
TOTAL	8	8	17	0	8	8	6	10	6	10	5	12	50	48

Table B
Minority Representation in the
Office of the State Textbook Committee 1968-1978
(Percentage Distribution)

Ethnic/Racial Group	1968		1970		1972		1974		1976		1978		Total 1968 - 1978	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Spanish Surnamed	6.7		13.3		6.7		6.7		6.7			13.3	6.7	2.2
Black	-		-		-		-		-		-		-	
Minority Representation	6.7		13.3		6.7		6.7		6.7			13.3	6.7	2.2
Anglo	40.0	53.3	86.7		40.0	53.3	26.7	66.7	26.7	66.7	33.3	66.7	42.2	48.9
TOTAL														

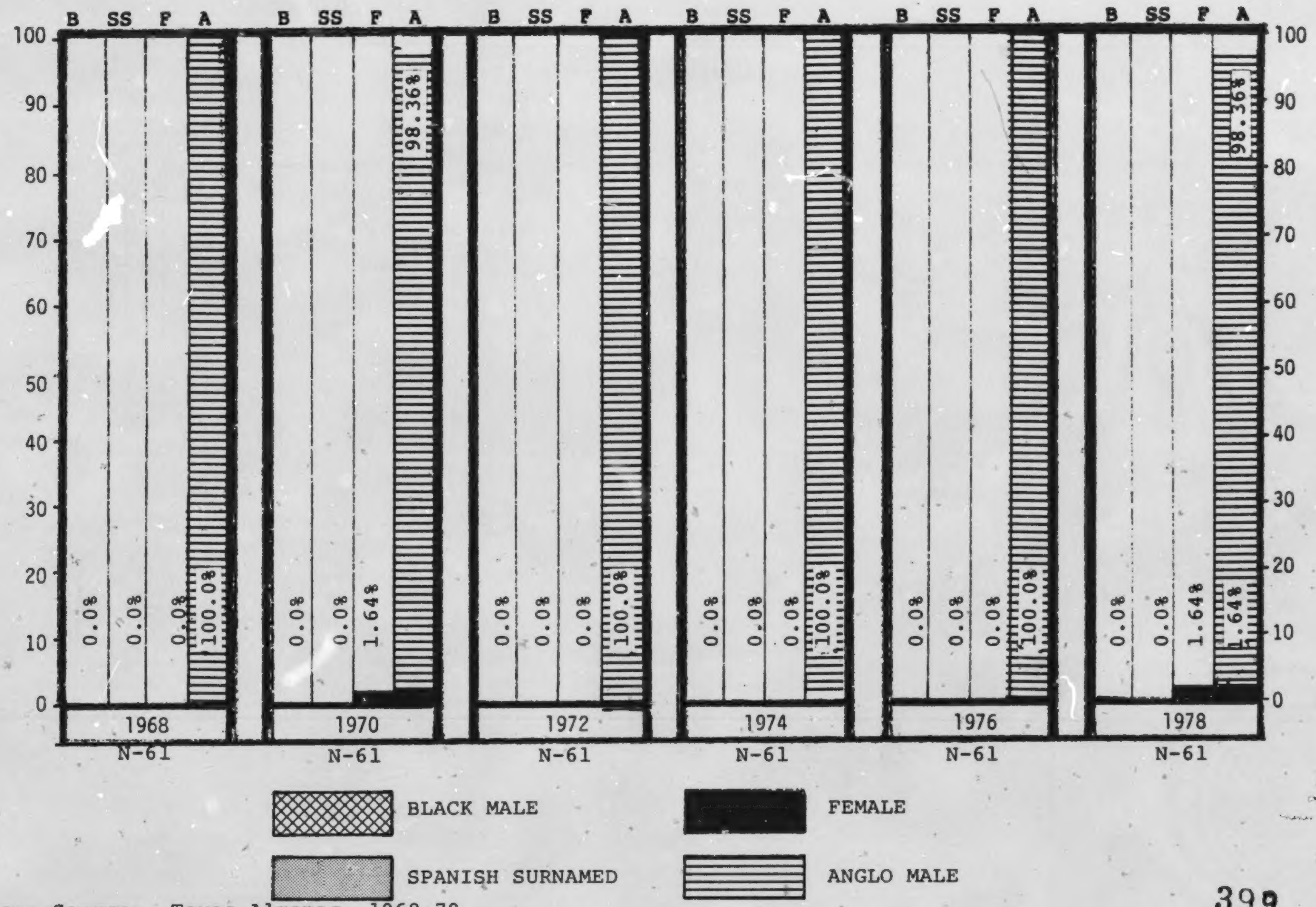
Source: Texas State Directory, 1968-1978; verification also requested of Board.

FIGURE B5-1
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, CENTRAL REGION, 1968-78.



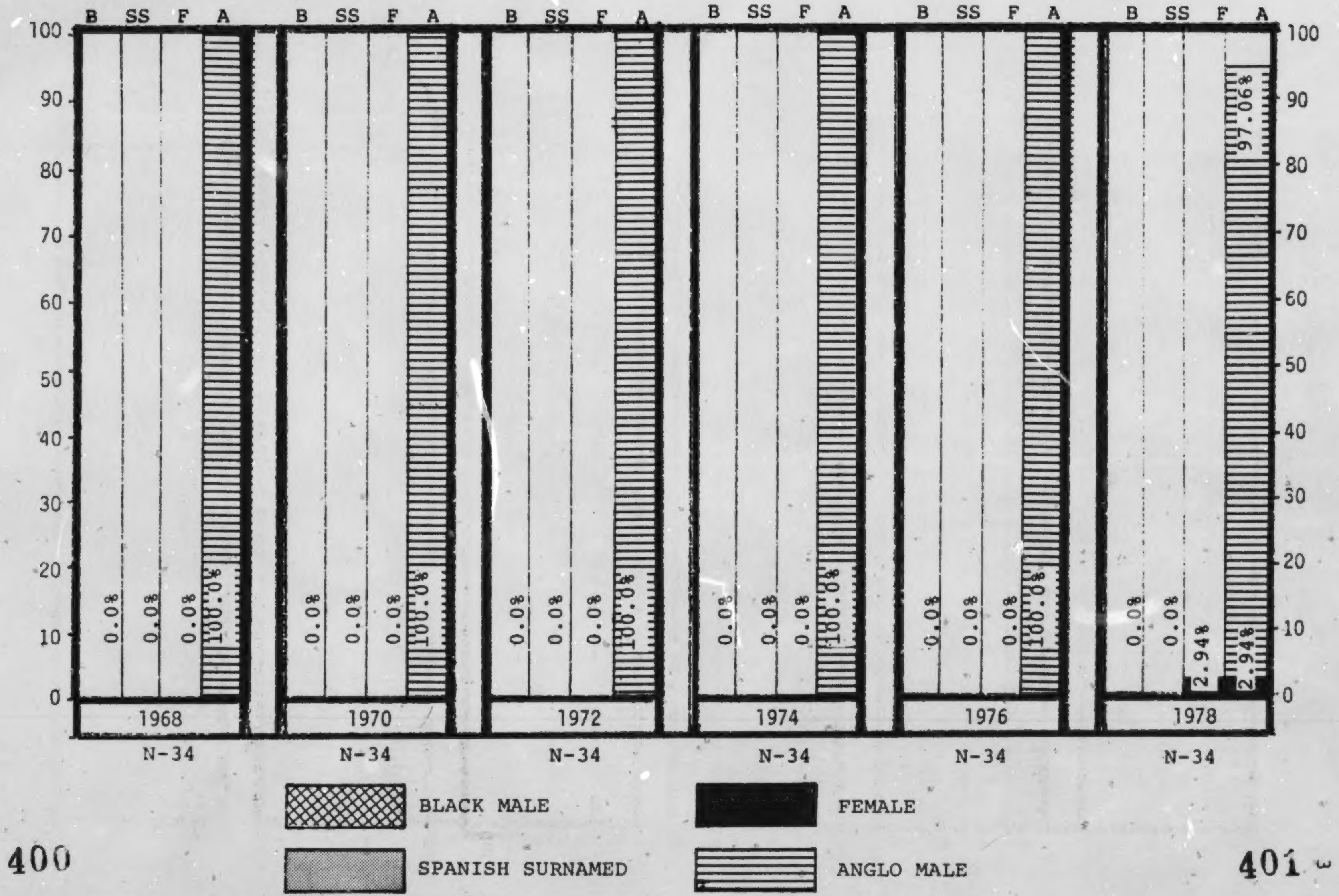
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-2
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, EAST REGION, 1968-78.



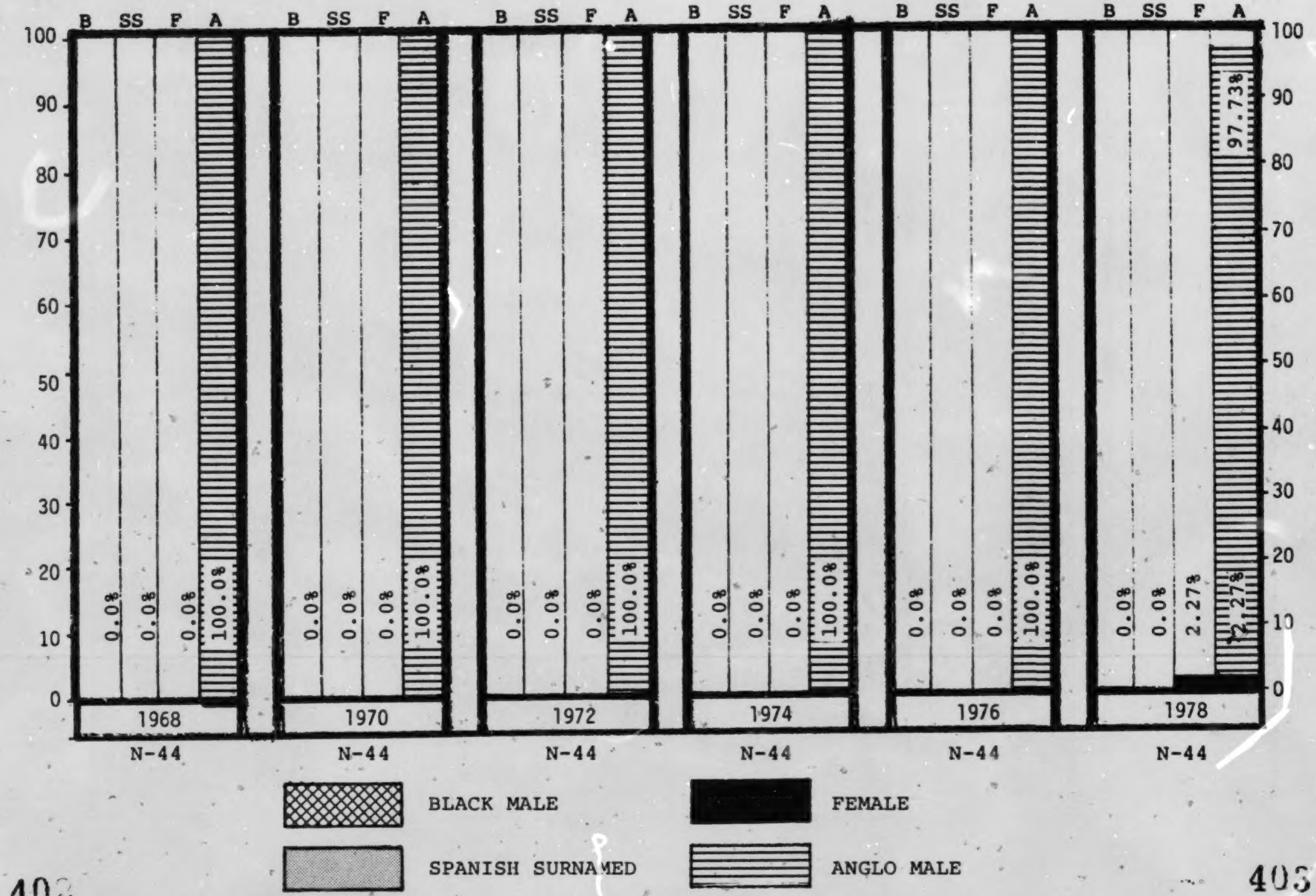
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-3
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, NORTH REGION, 1968-78.



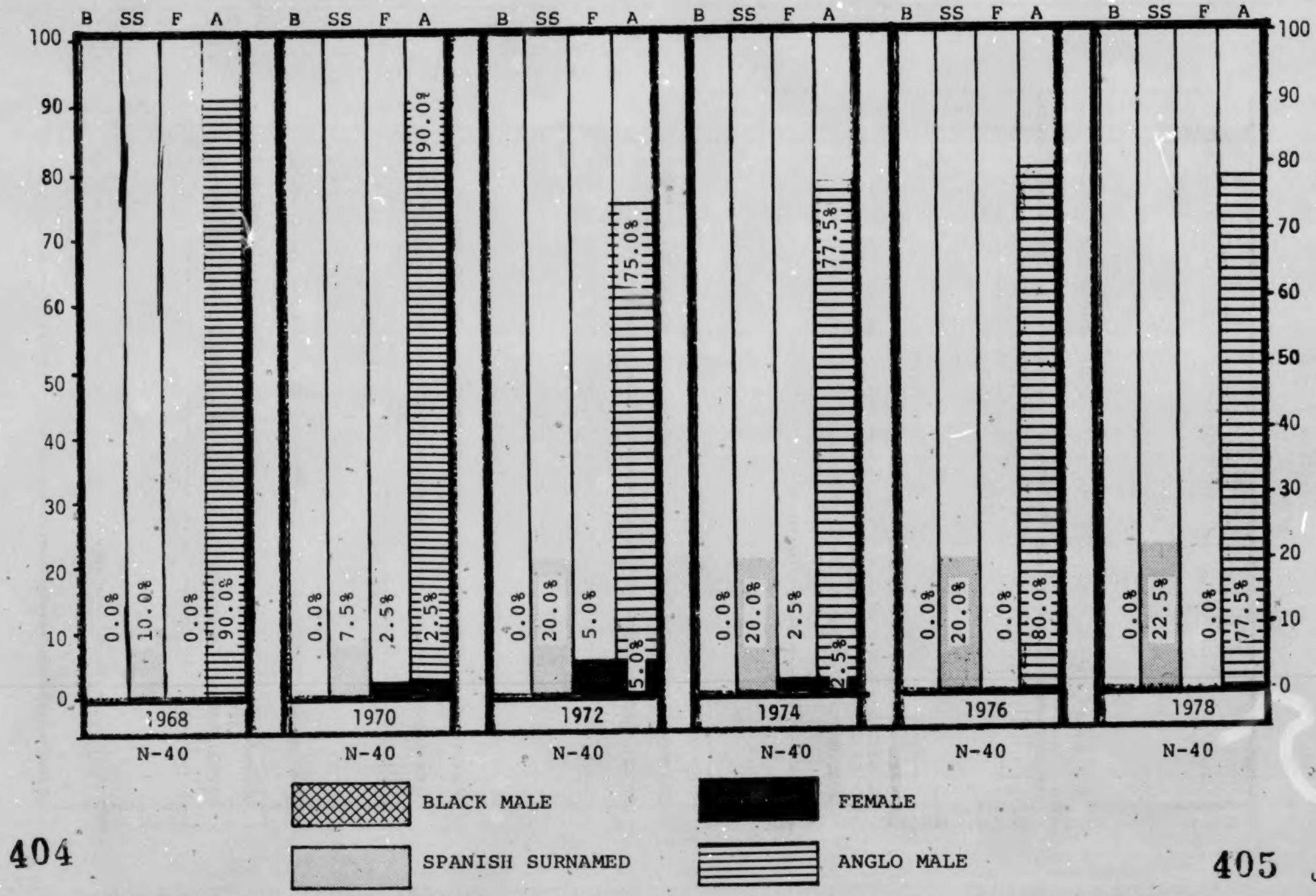
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-4
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, PANHANDLE REGION, 1968-78.



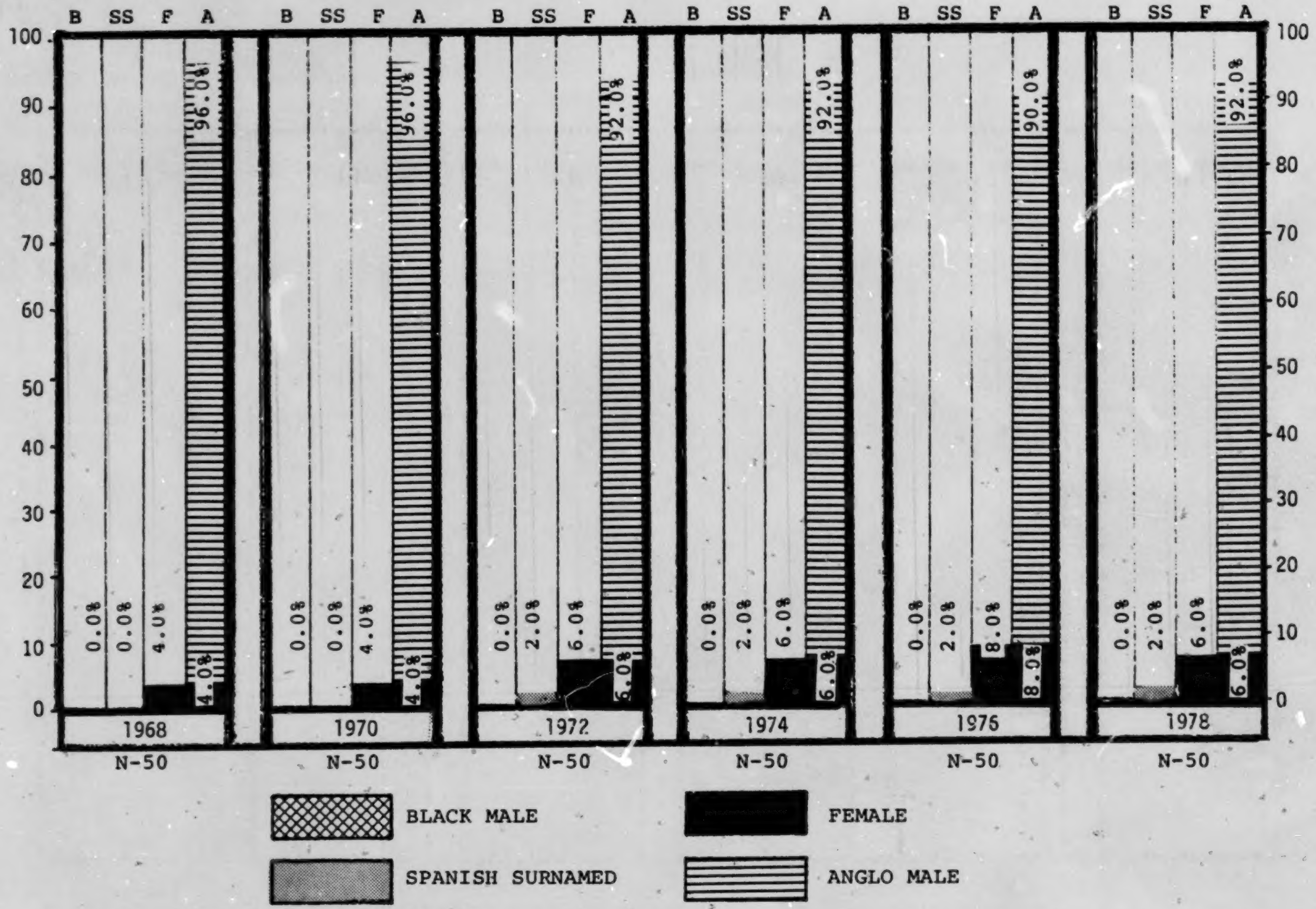
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-5
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, SOUTH REGION, 1968-78.



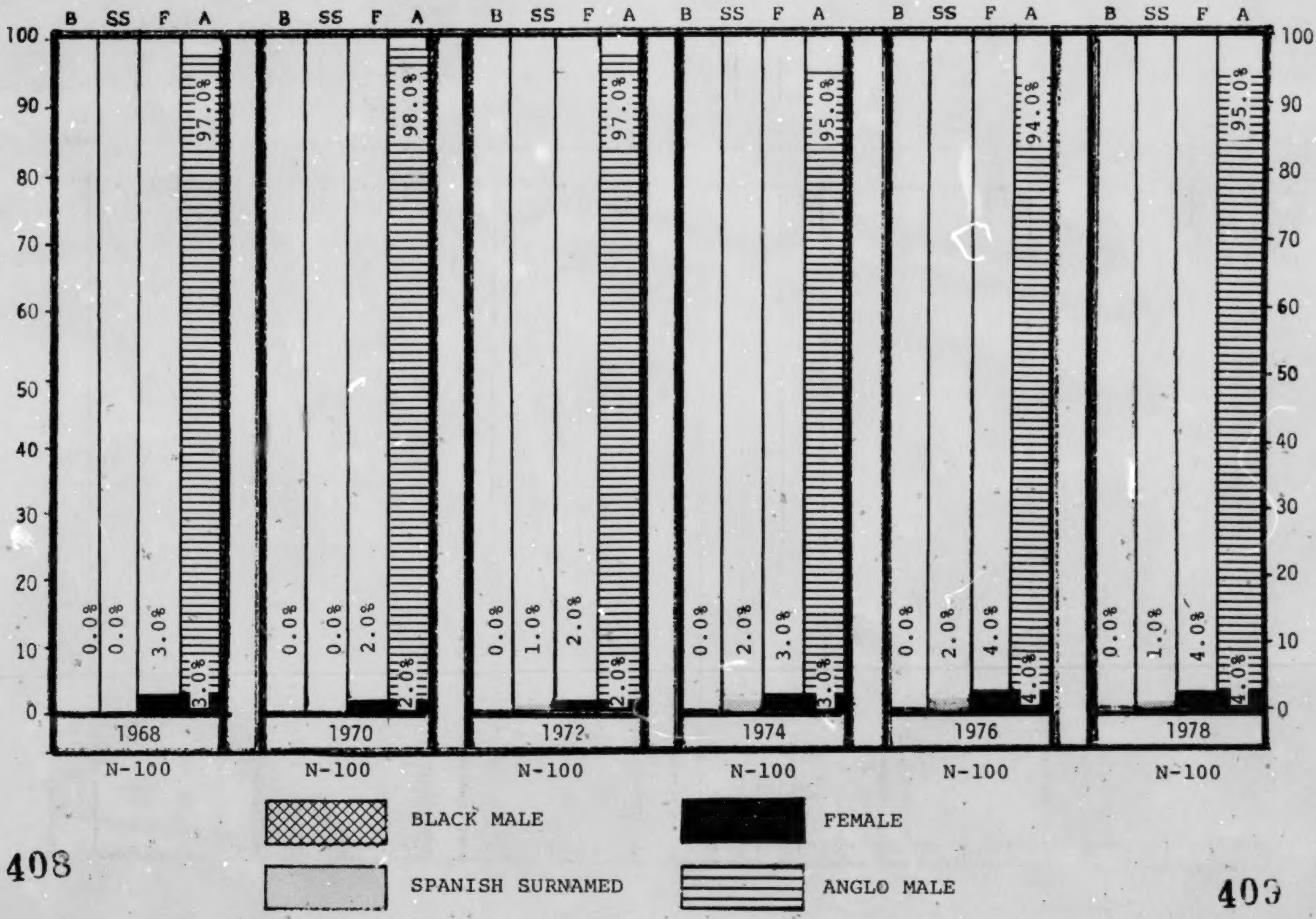
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-6
MINORITY AND FEMALE REPRESENTATION FOR COUNTY JUDGE, WEST REGION, 1968-78.



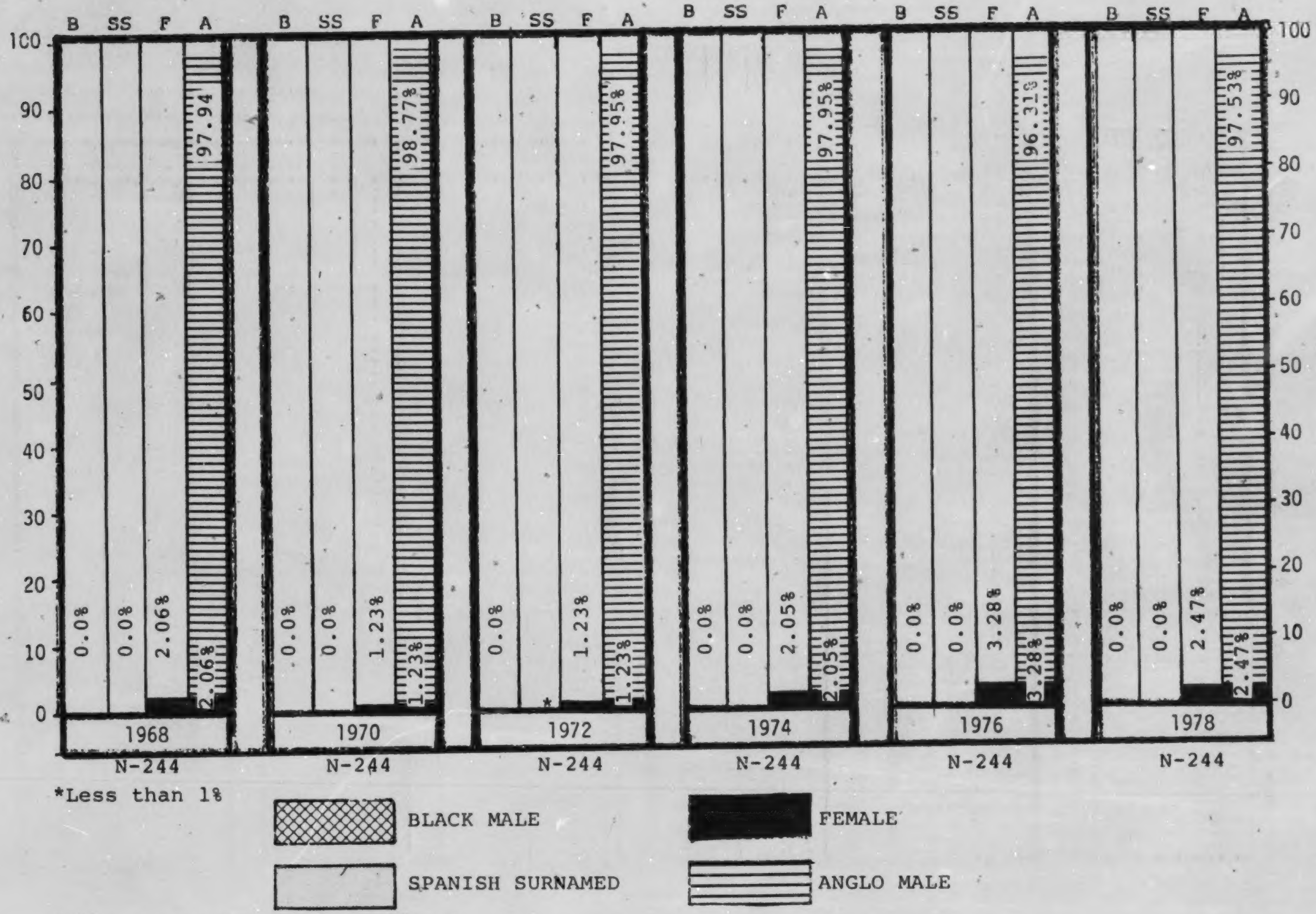
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-7
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONER, CENTRAL REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

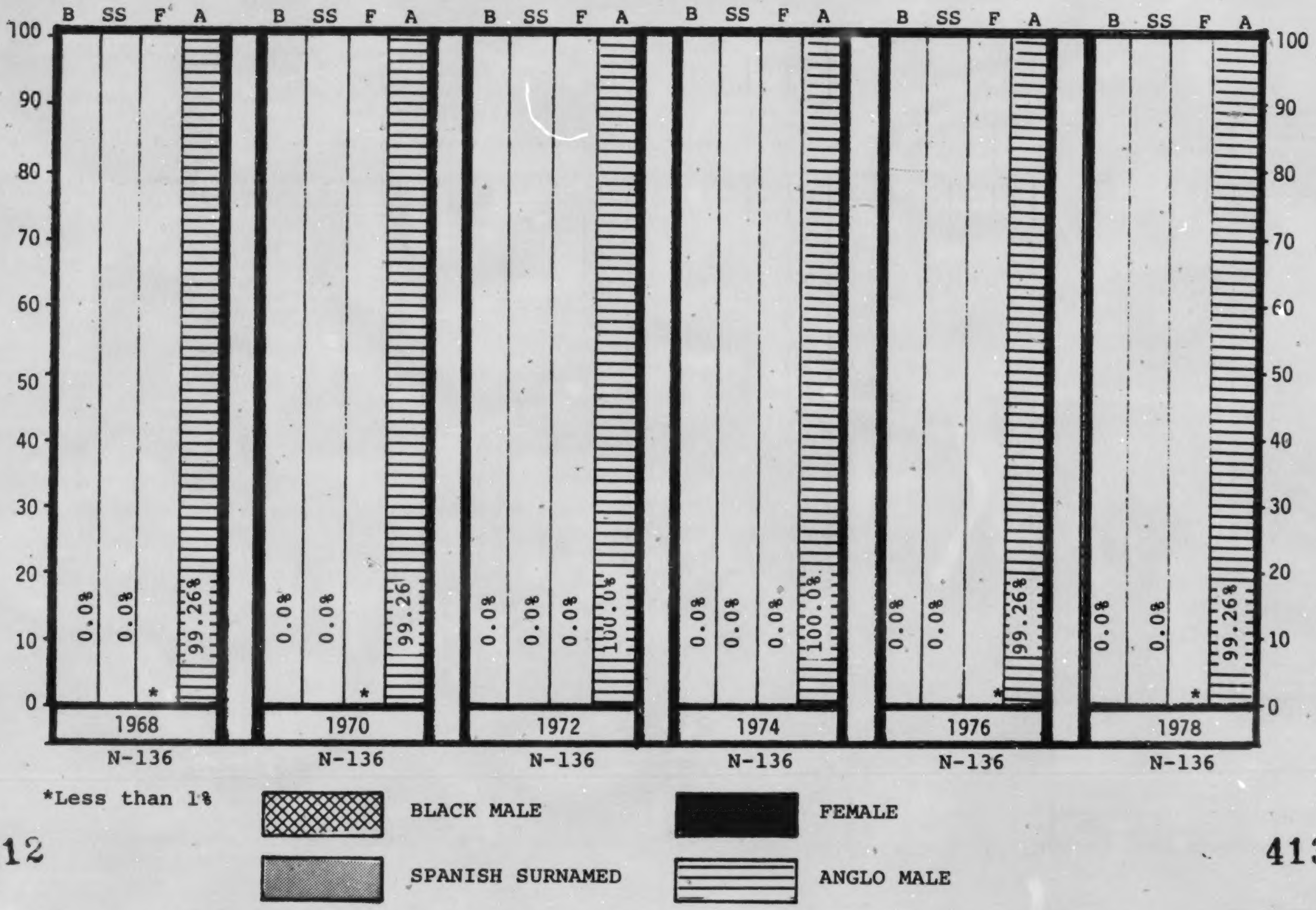
FIGURE B5-8
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONERS, EAST REGION, 1968-78.



*Less than 1%

Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

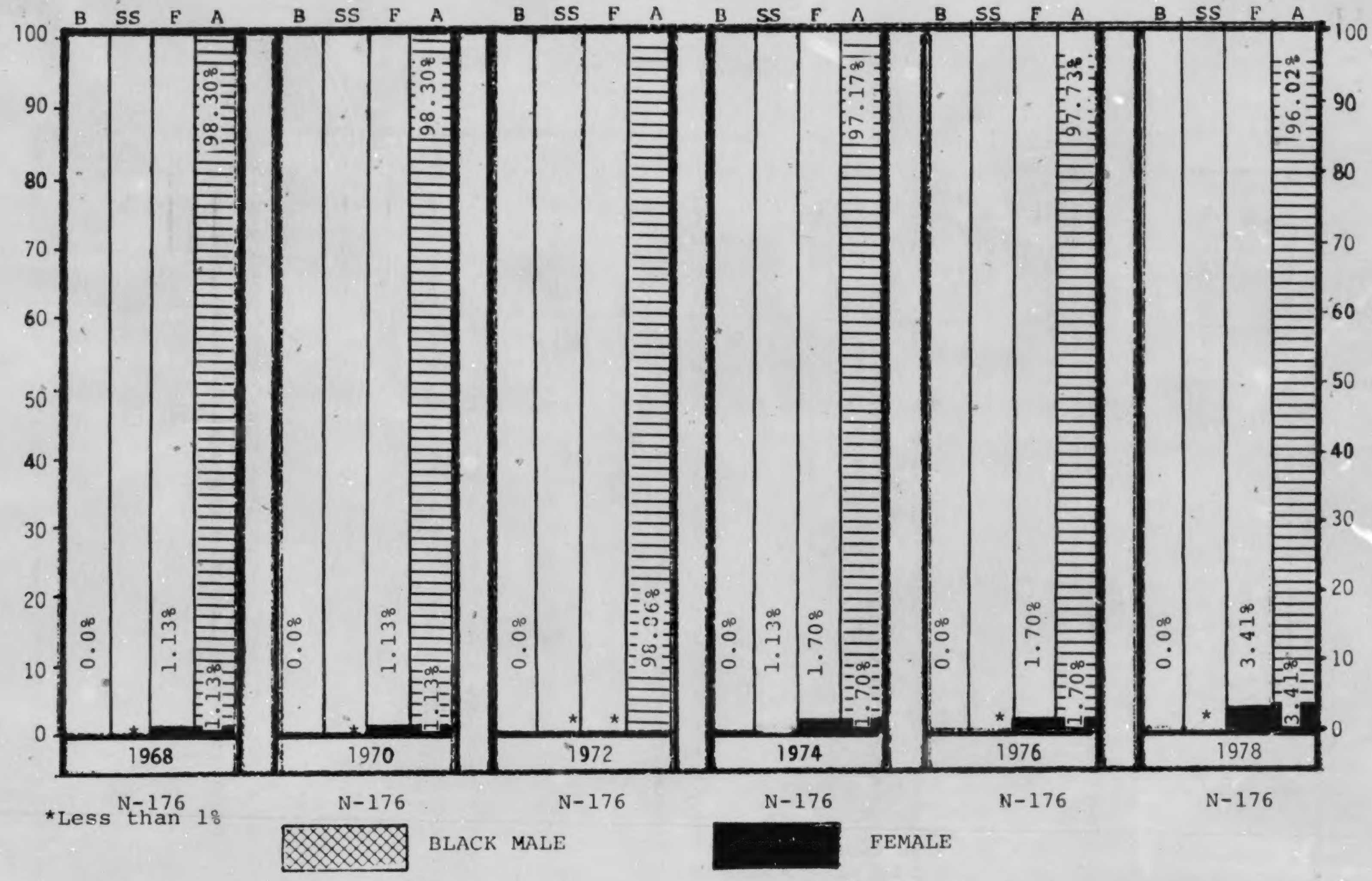
FIGURE B5-9
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONER, NORTH REGION, 1968-78.



*Less than 1%

Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

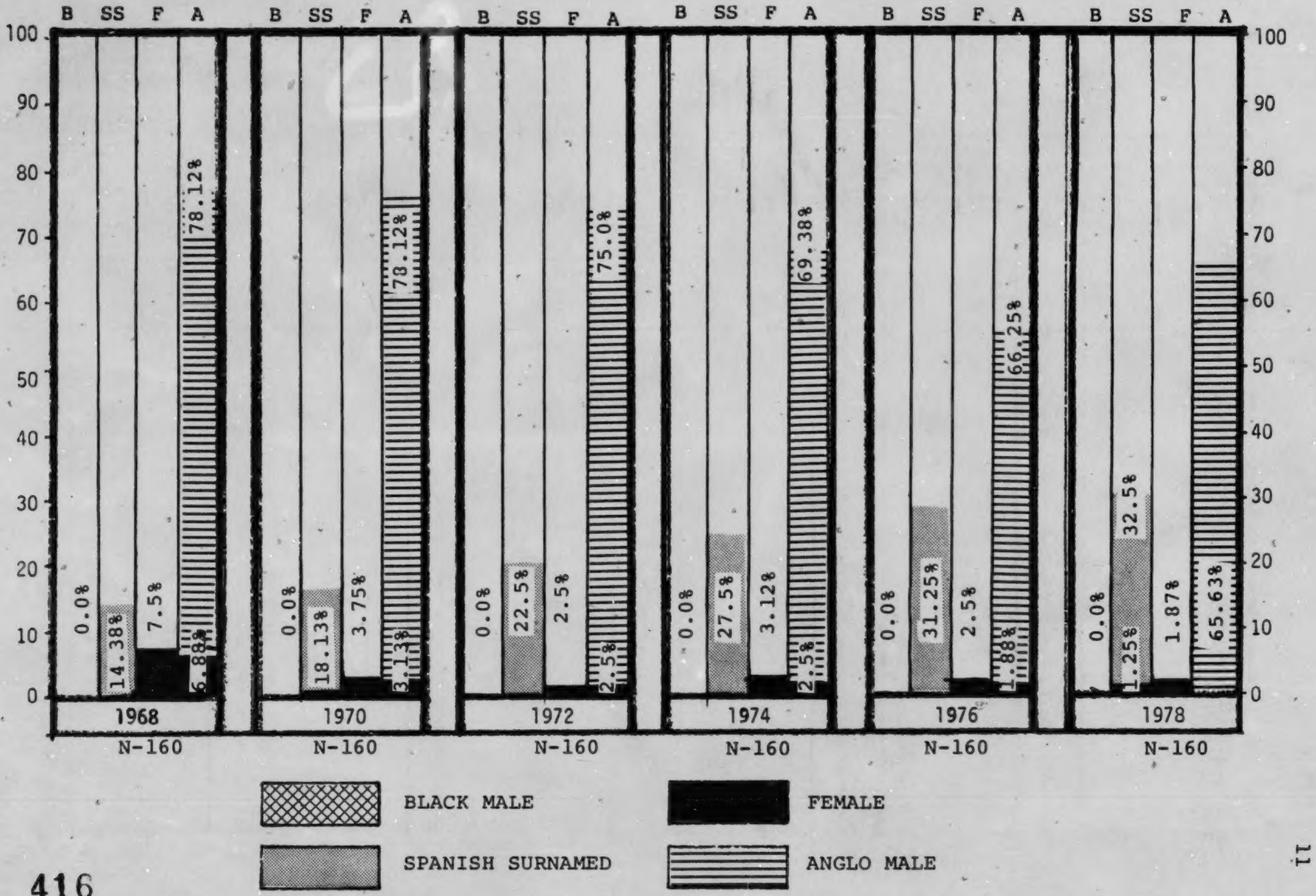
FIGURE B5-10
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONER, PANHANDLE REGION, 1968-78.



*Less than 1%

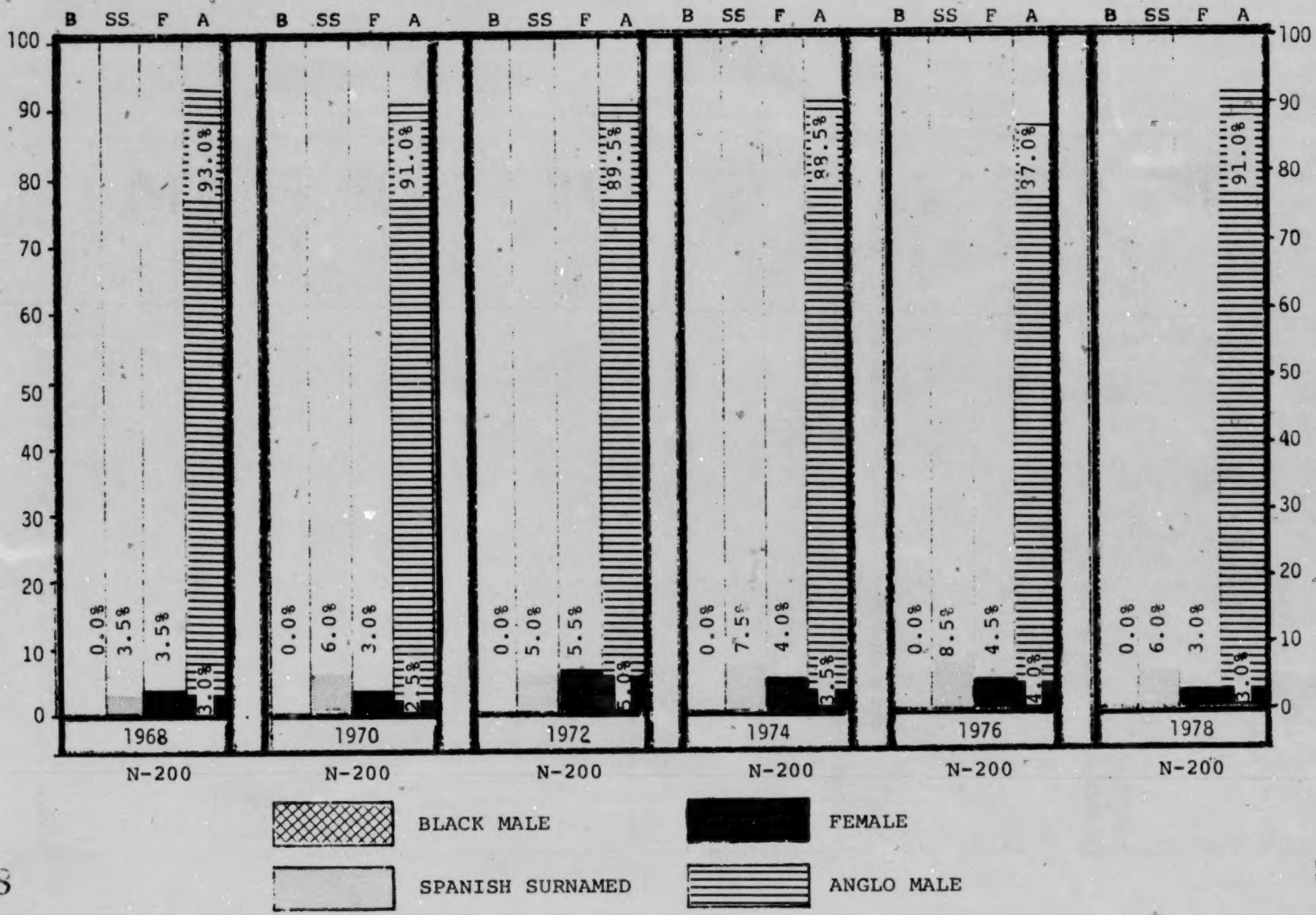
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-11
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONER, SOUTH REGION, 1968-78.



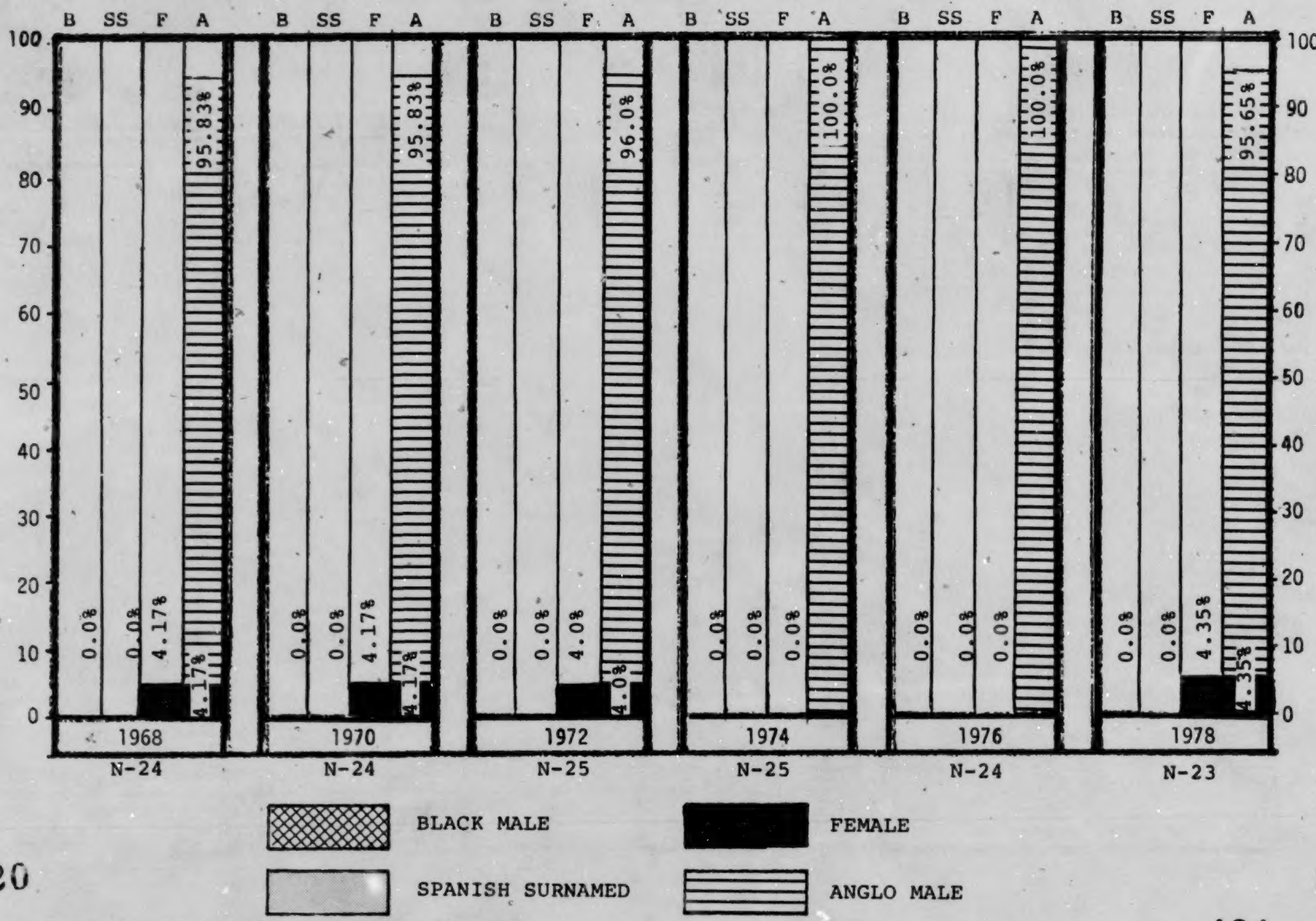
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-12
MINORITY AND FEMALE REPRESENTATION FOR COUNTY COMMISSIONER, WEST REGION, 1968-78.



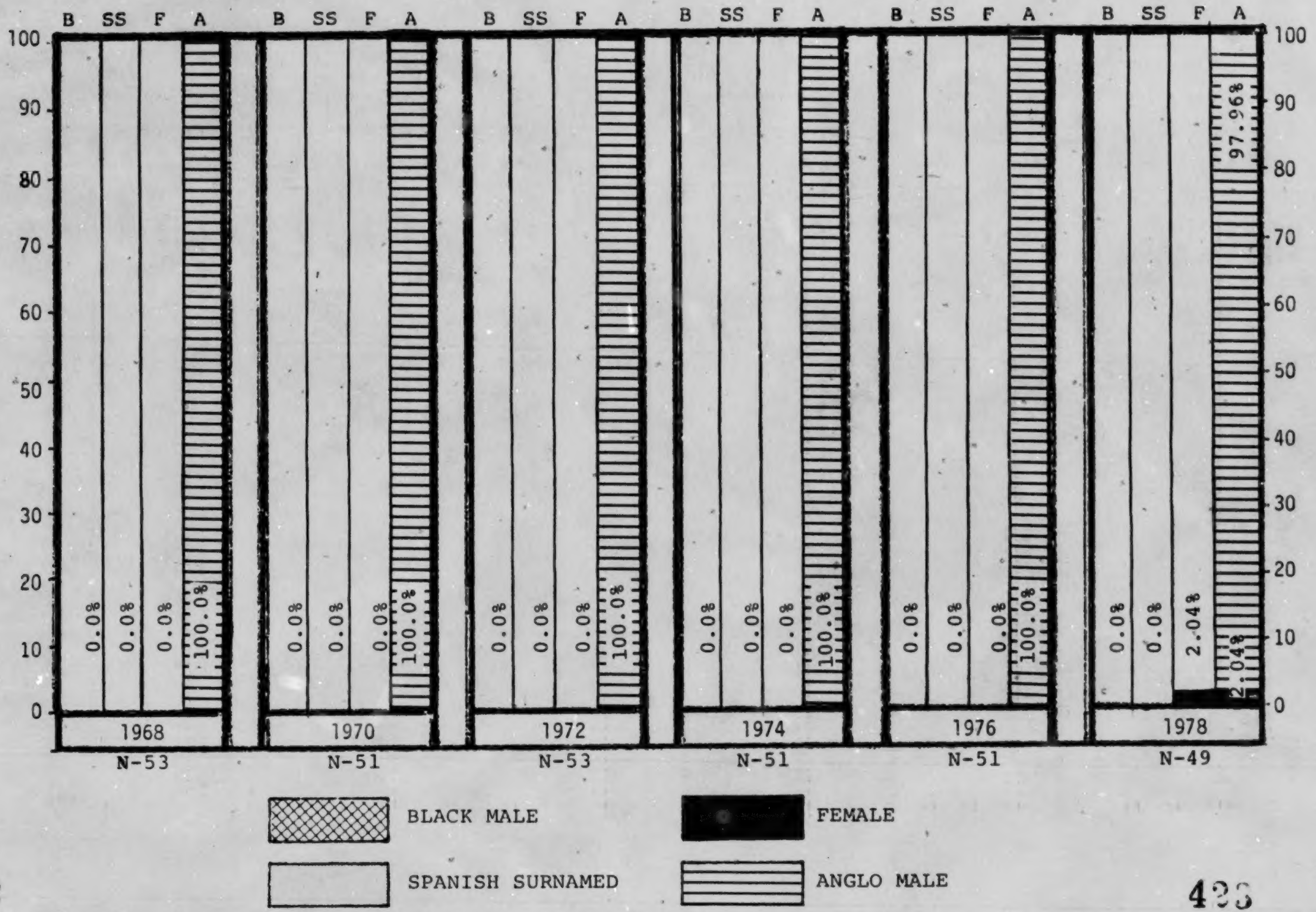
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-13
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, CENTRAL REGION, 1968-78.



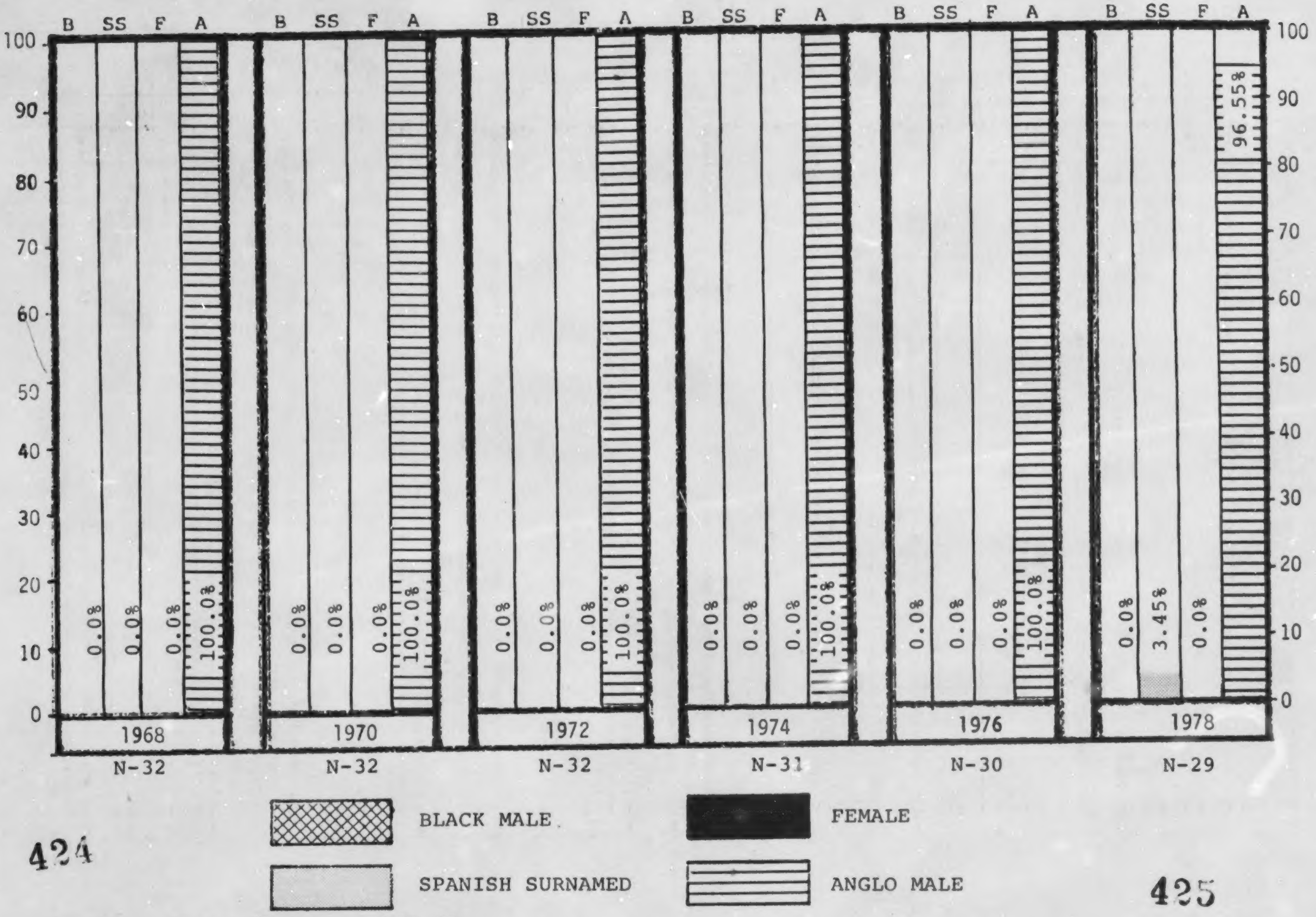
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-14
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, EAST REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-15
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, NORTH REGION, 1968-78.

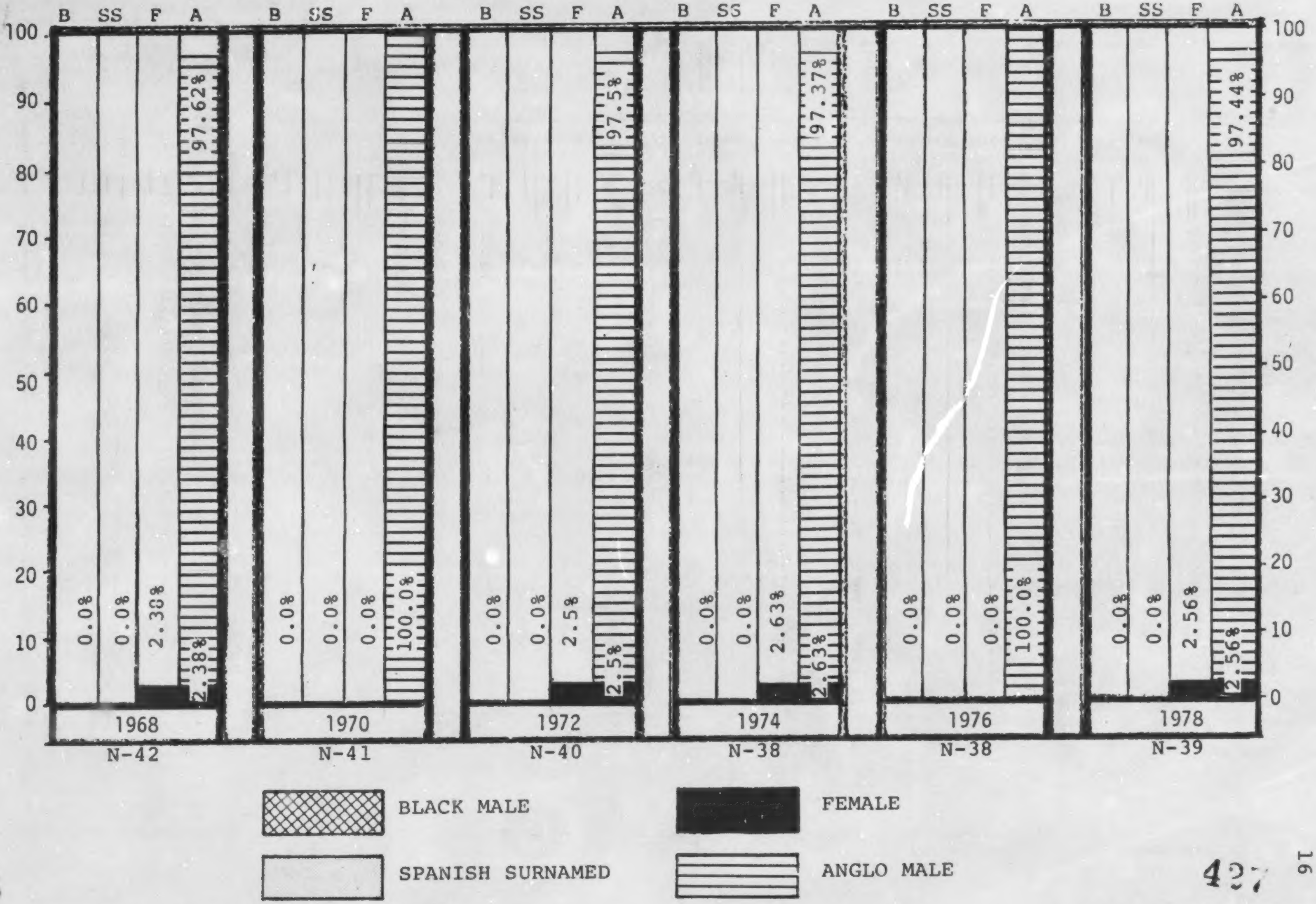


424

425

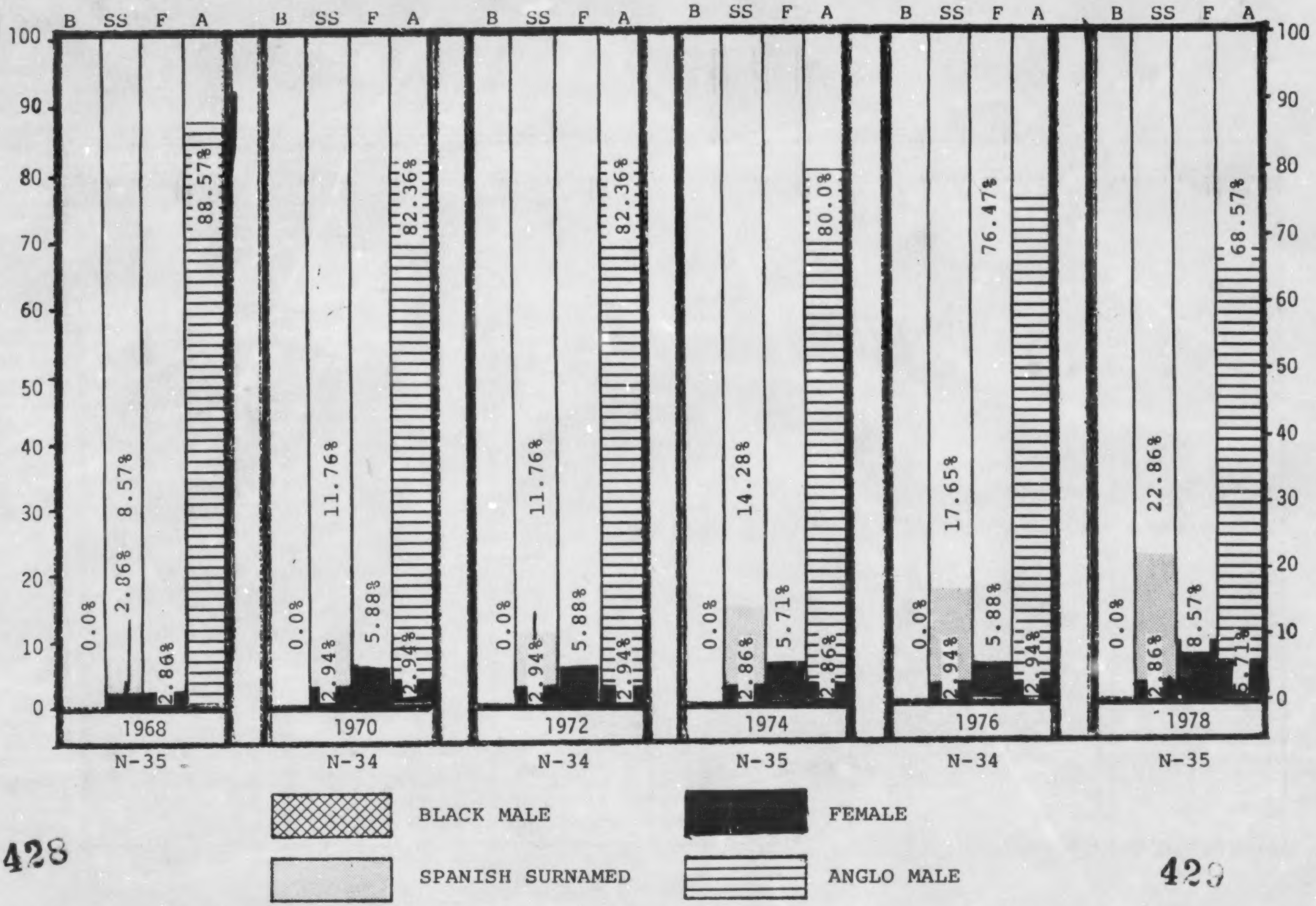
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-16
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, PANHANDLE REGION, 1968-78.



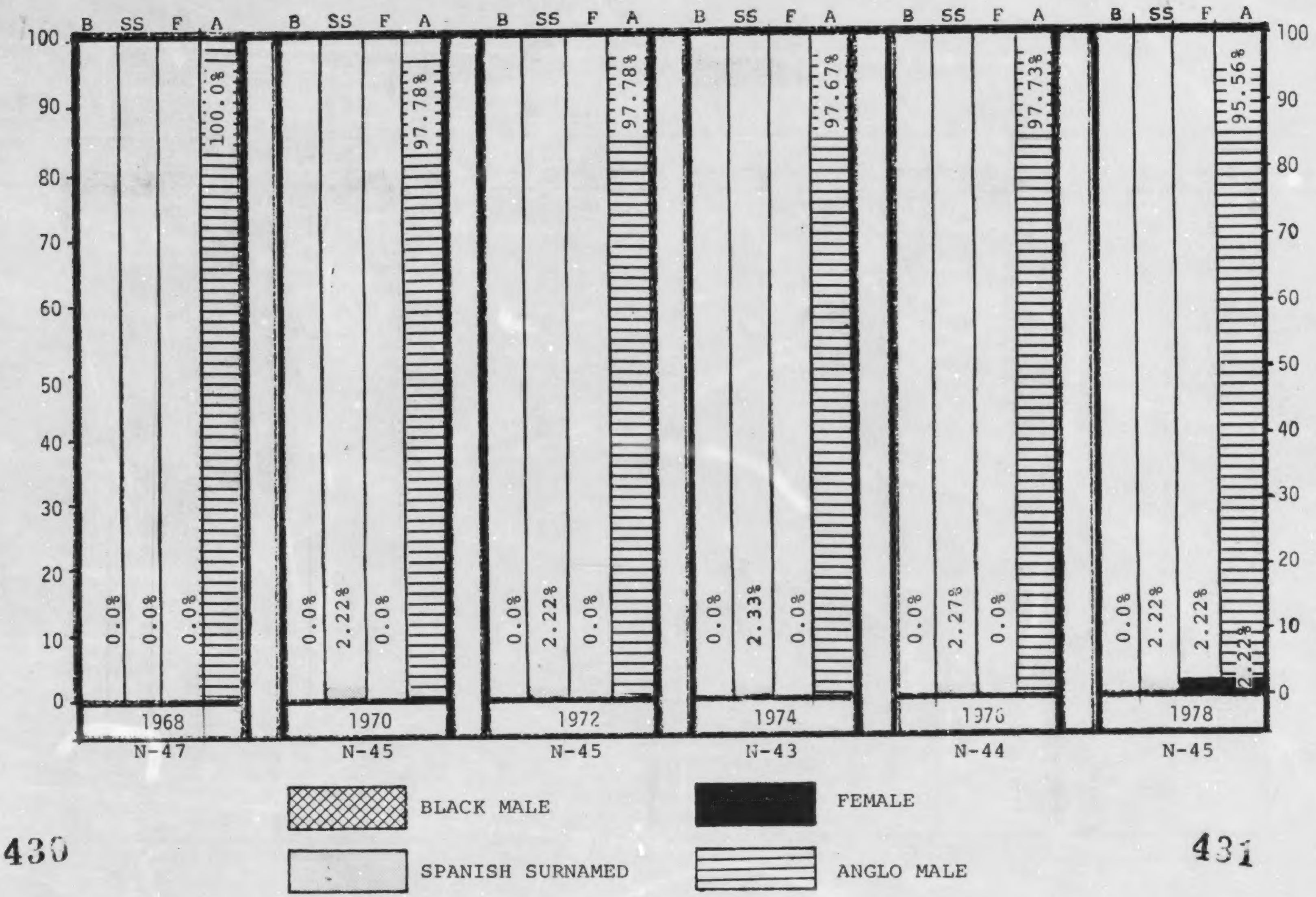
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-17
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, SOUTH REGION, 1968-78.



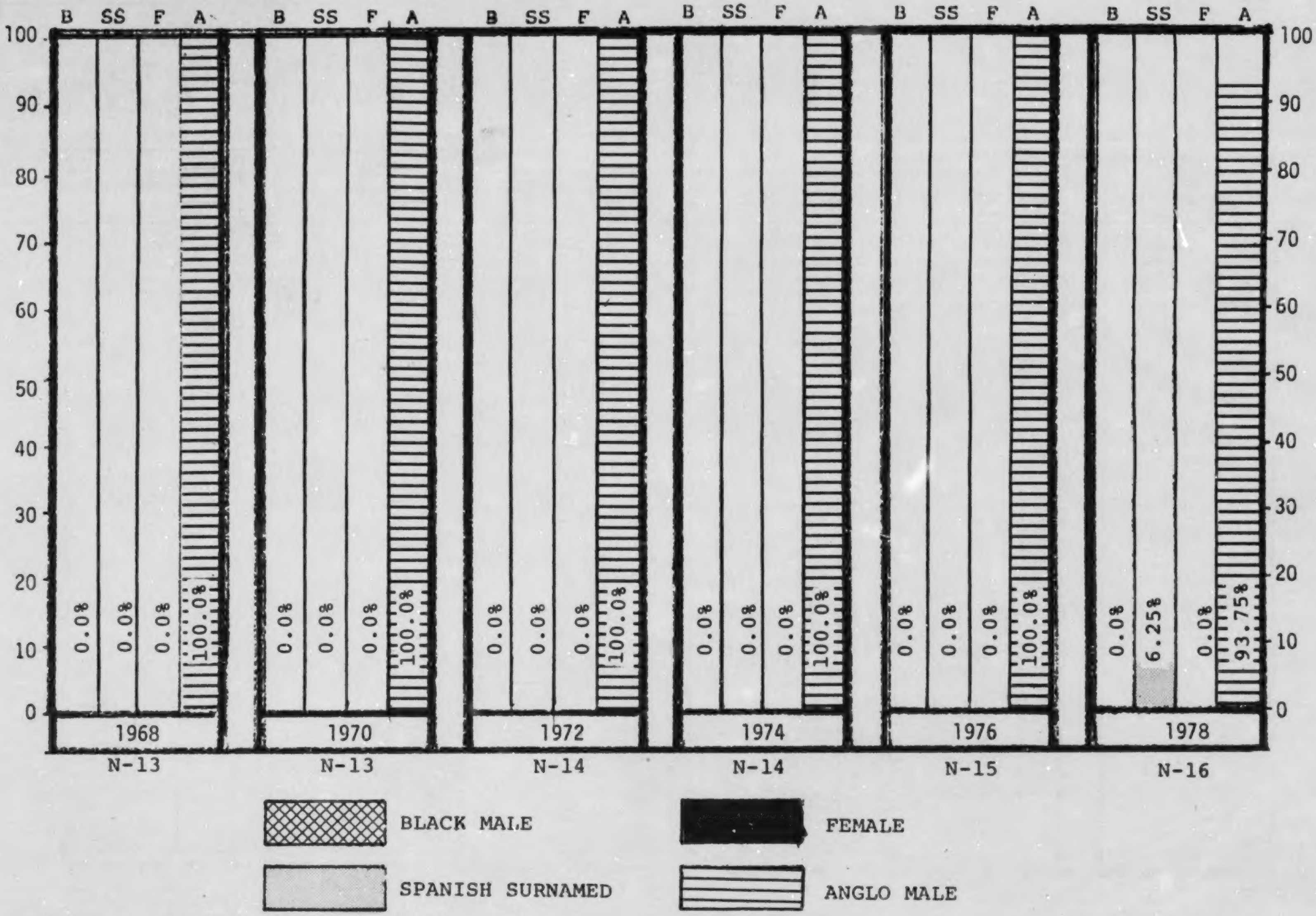
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-18
MINORITY AND FEMALE REPRESENTATION FOR COUNTY ATTORNEY, WEST REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

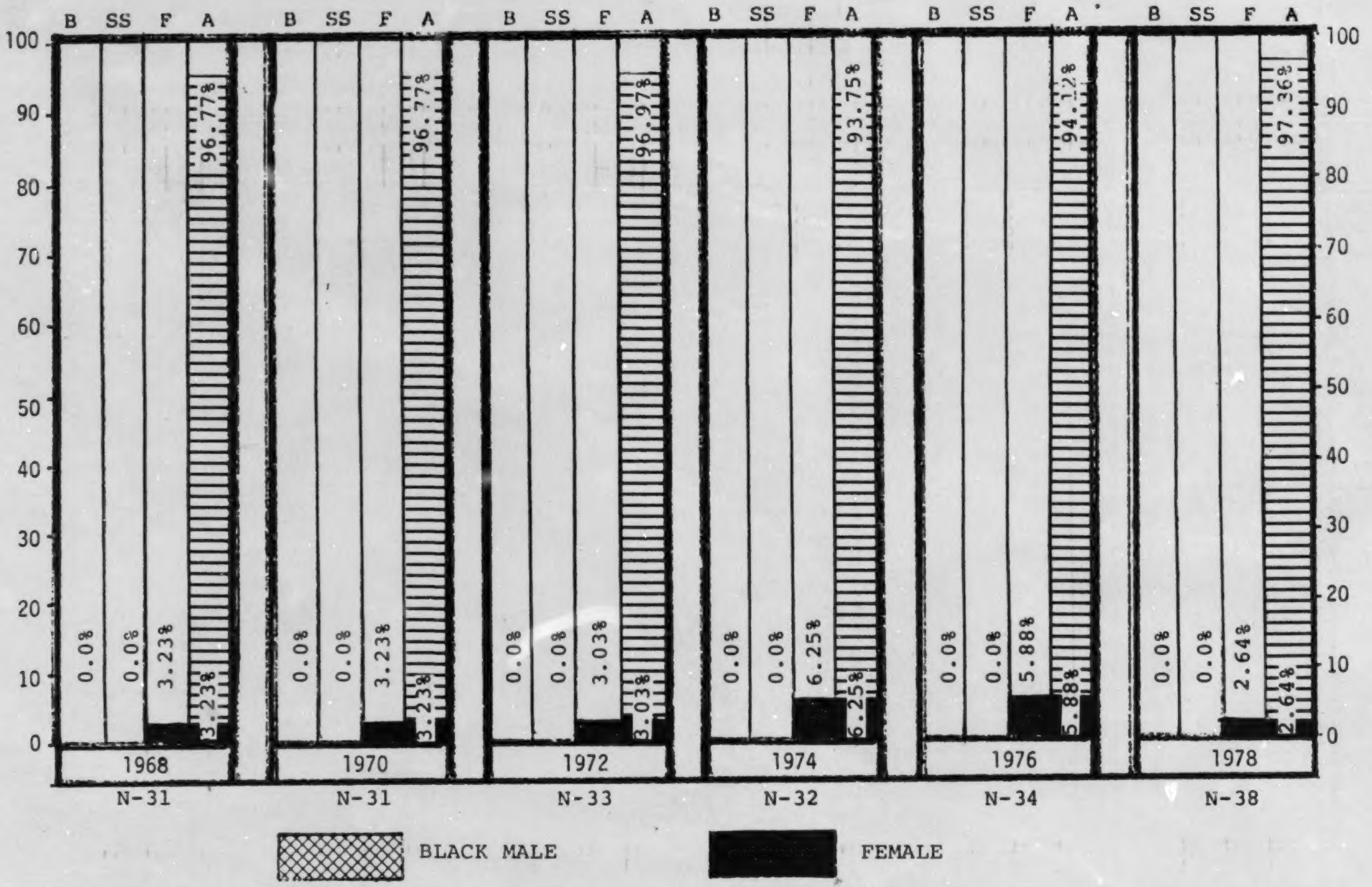
FIGURE B5-19
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, CENTRAL REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

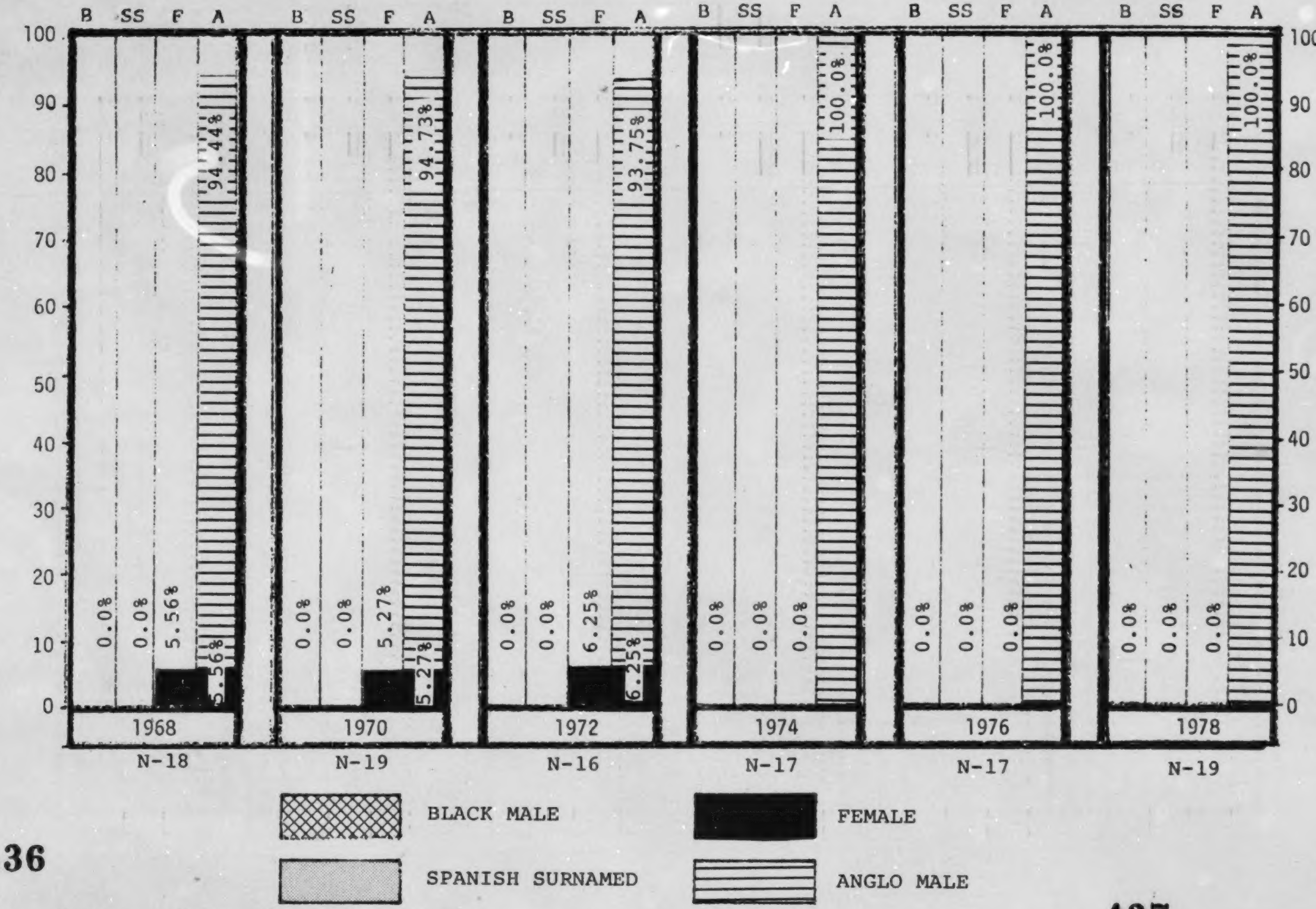
FIGURE B5-20

MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, EAST REGION, 1968-78.



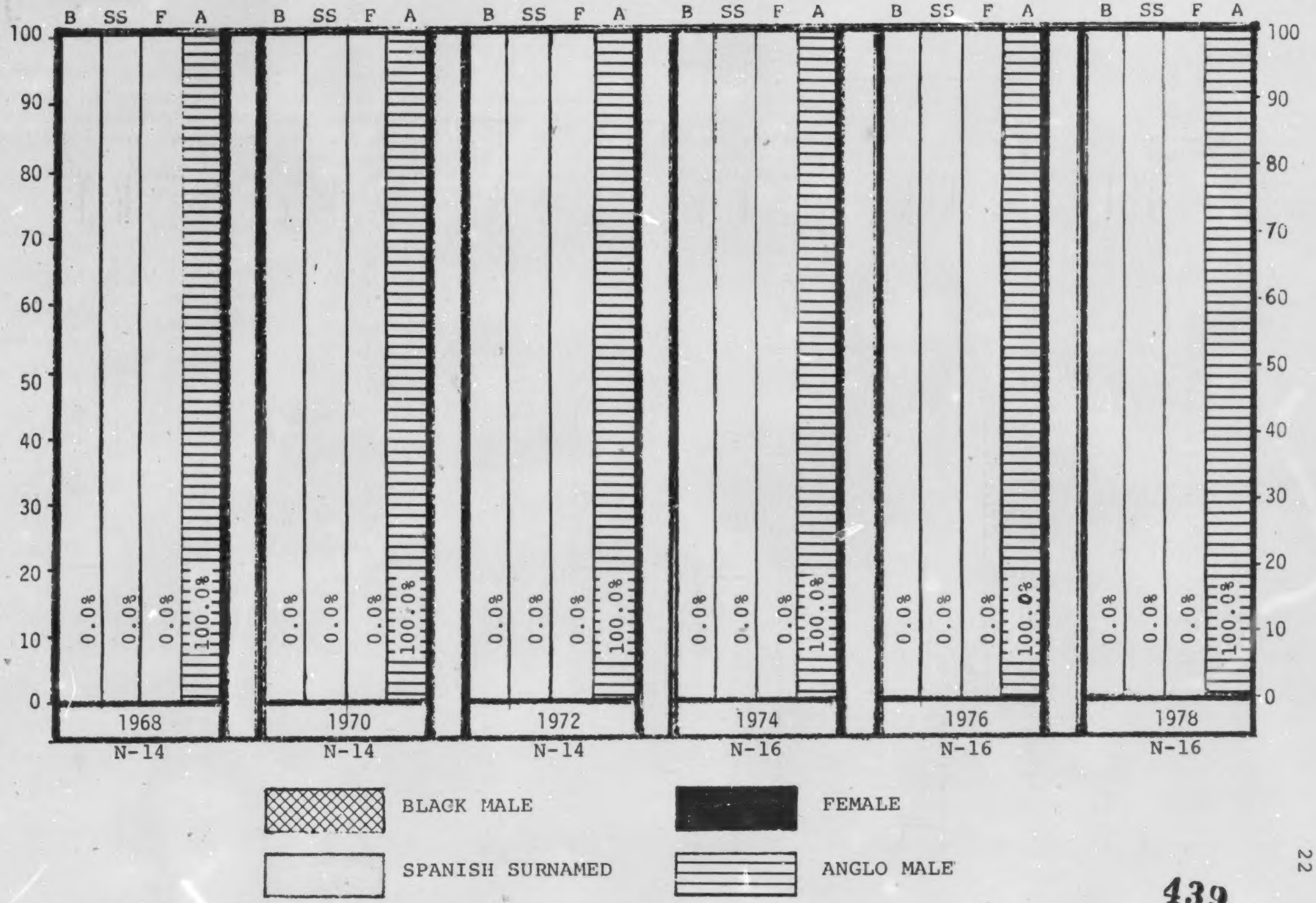
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-21
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, NORTH REGION, 1968-78.



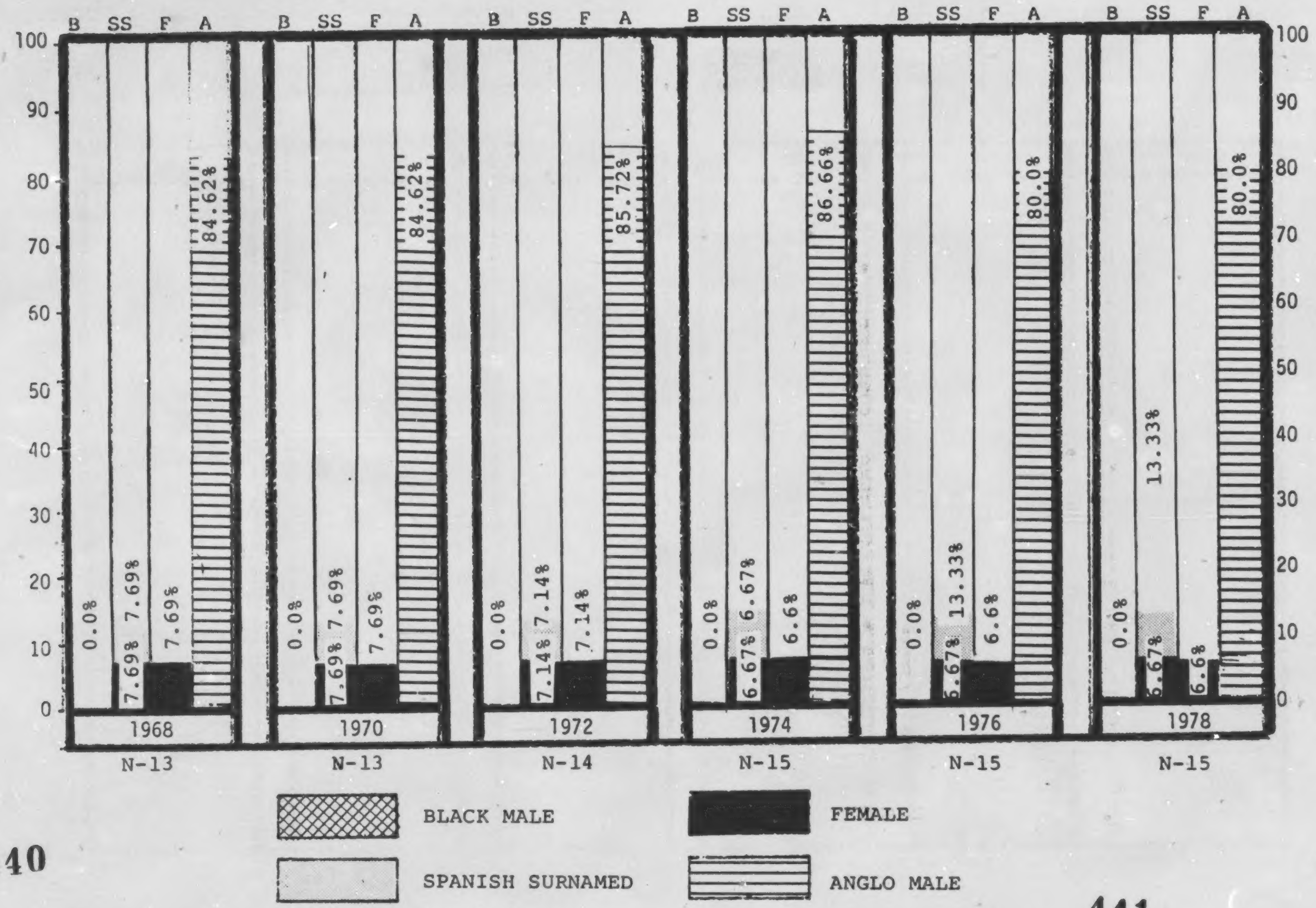
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-22
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, PANHANDLE REGION, 1968-78.



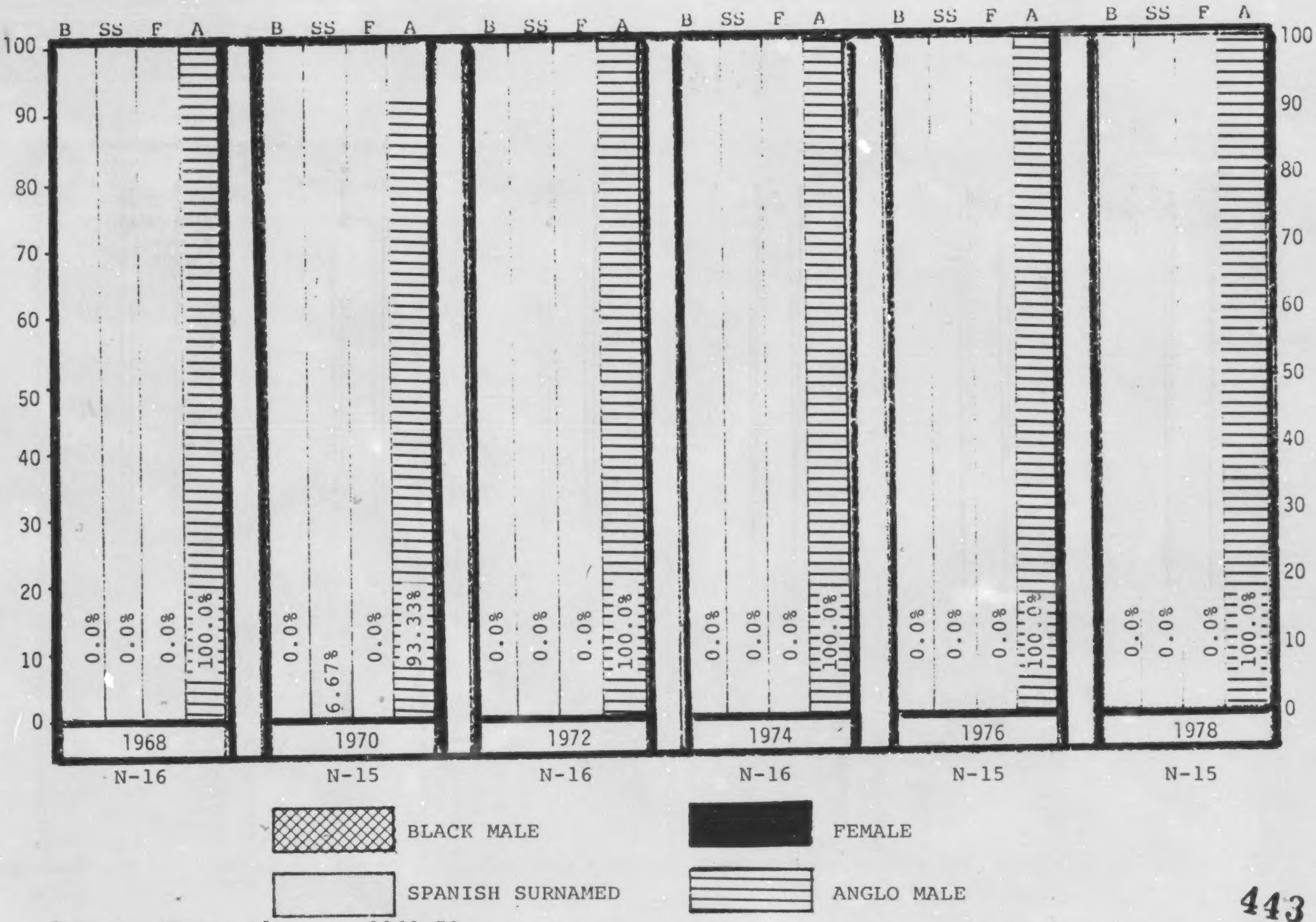
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-23
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, SOUTH REGION, 1968-78.



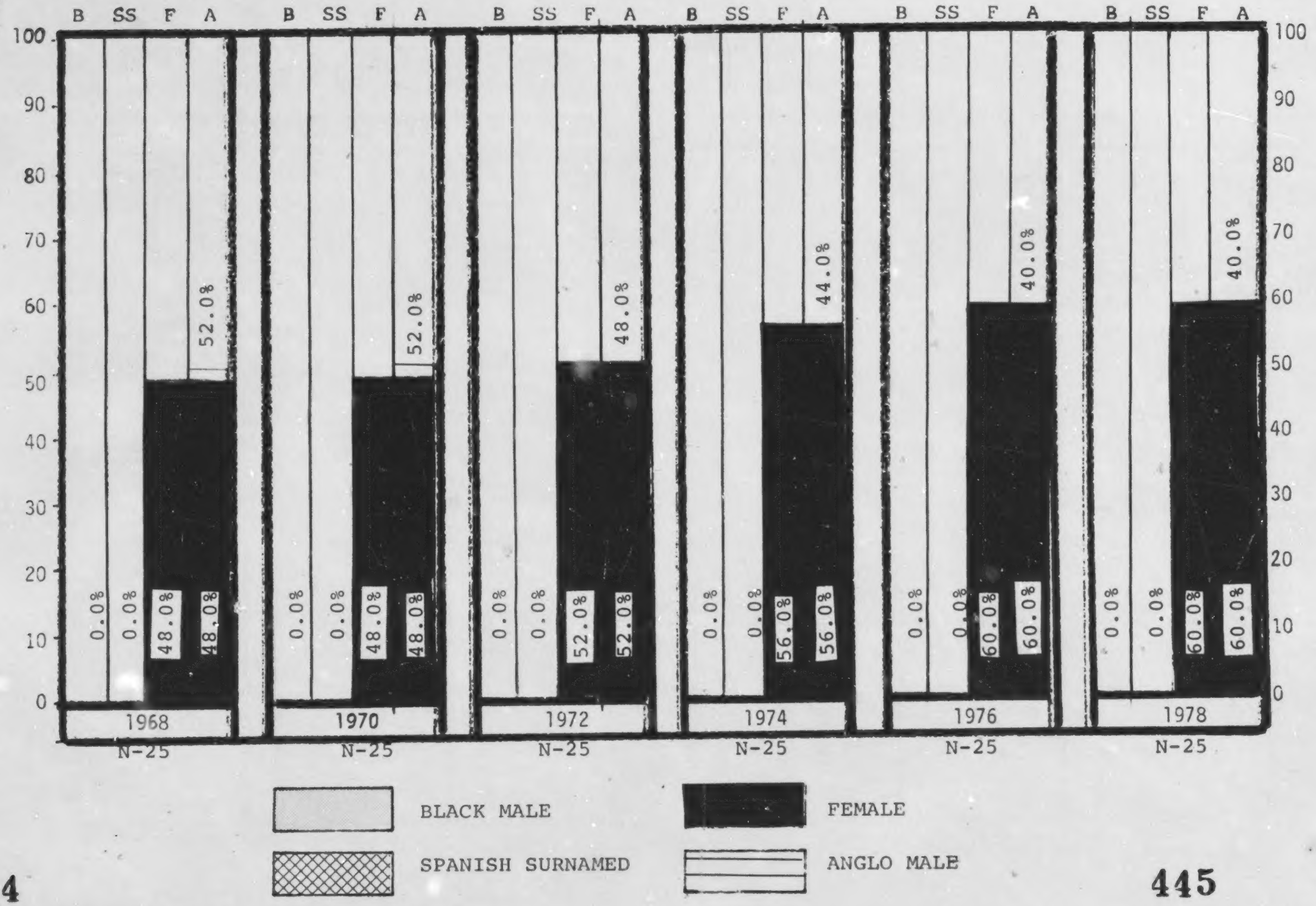
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-24
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT ATTORNEY, WEST REGION, 1968-78.



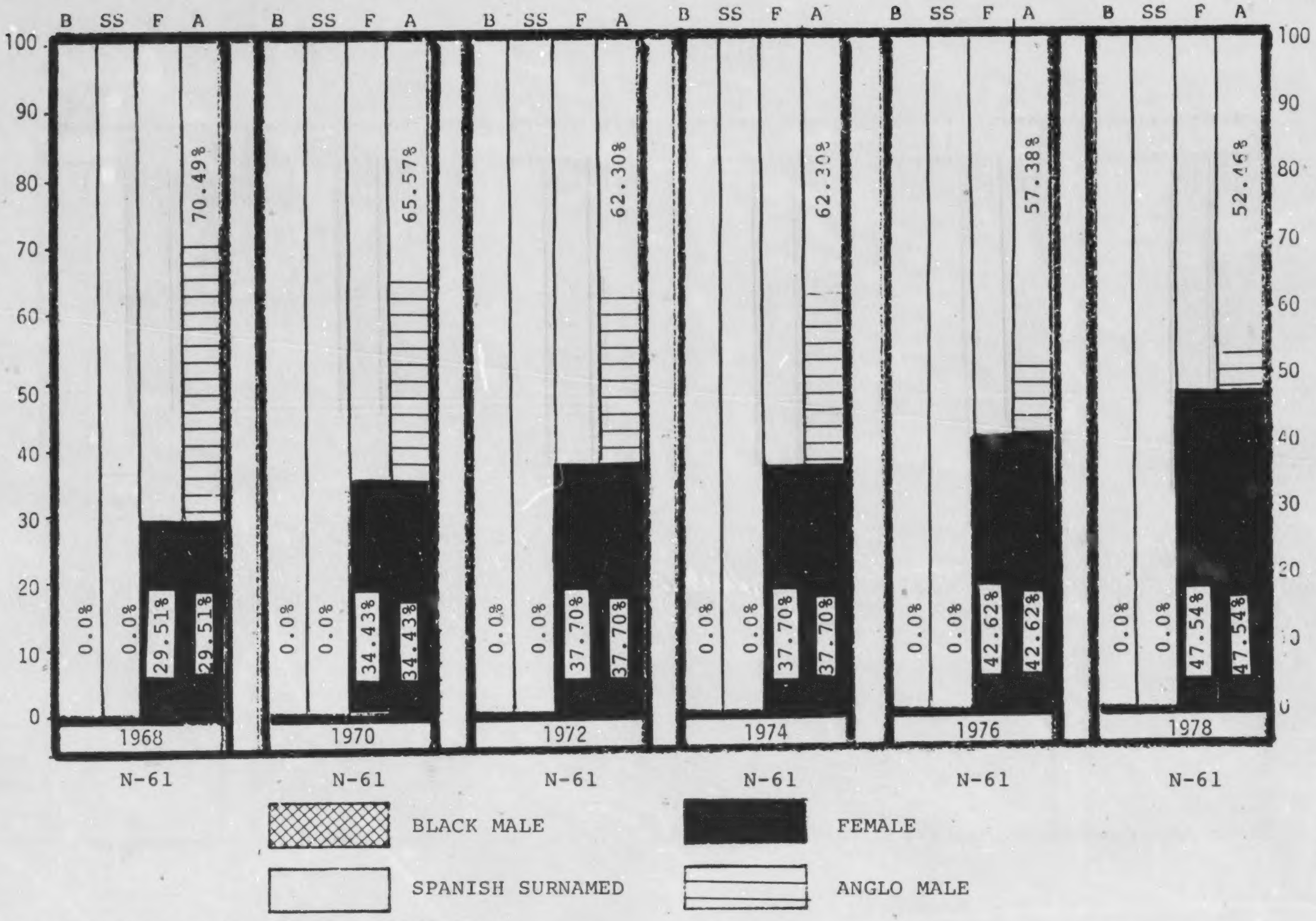
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-25
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, CENTRAL REGION, 1968-78.



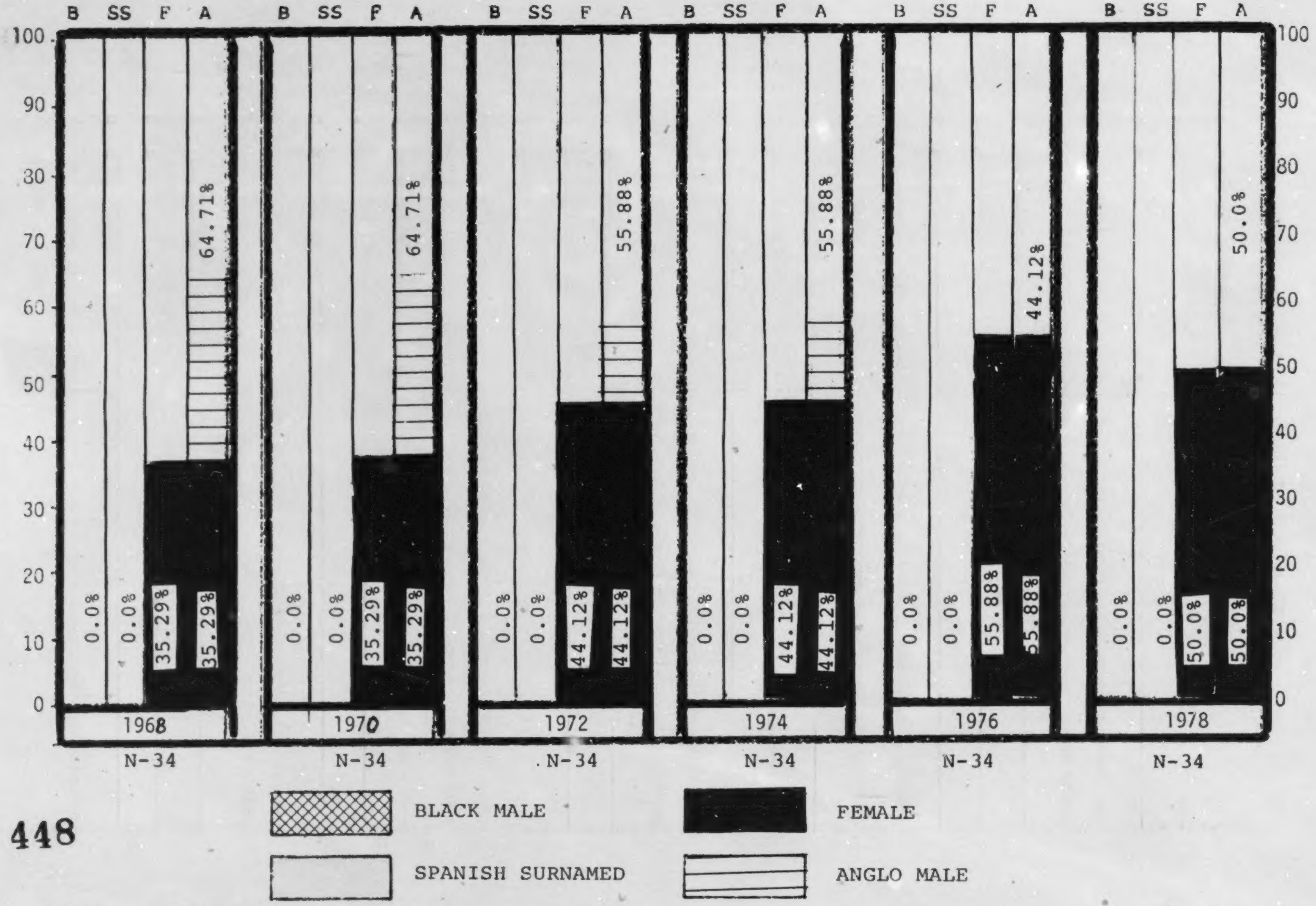
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-26
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, EAST REGION, 1968-78.



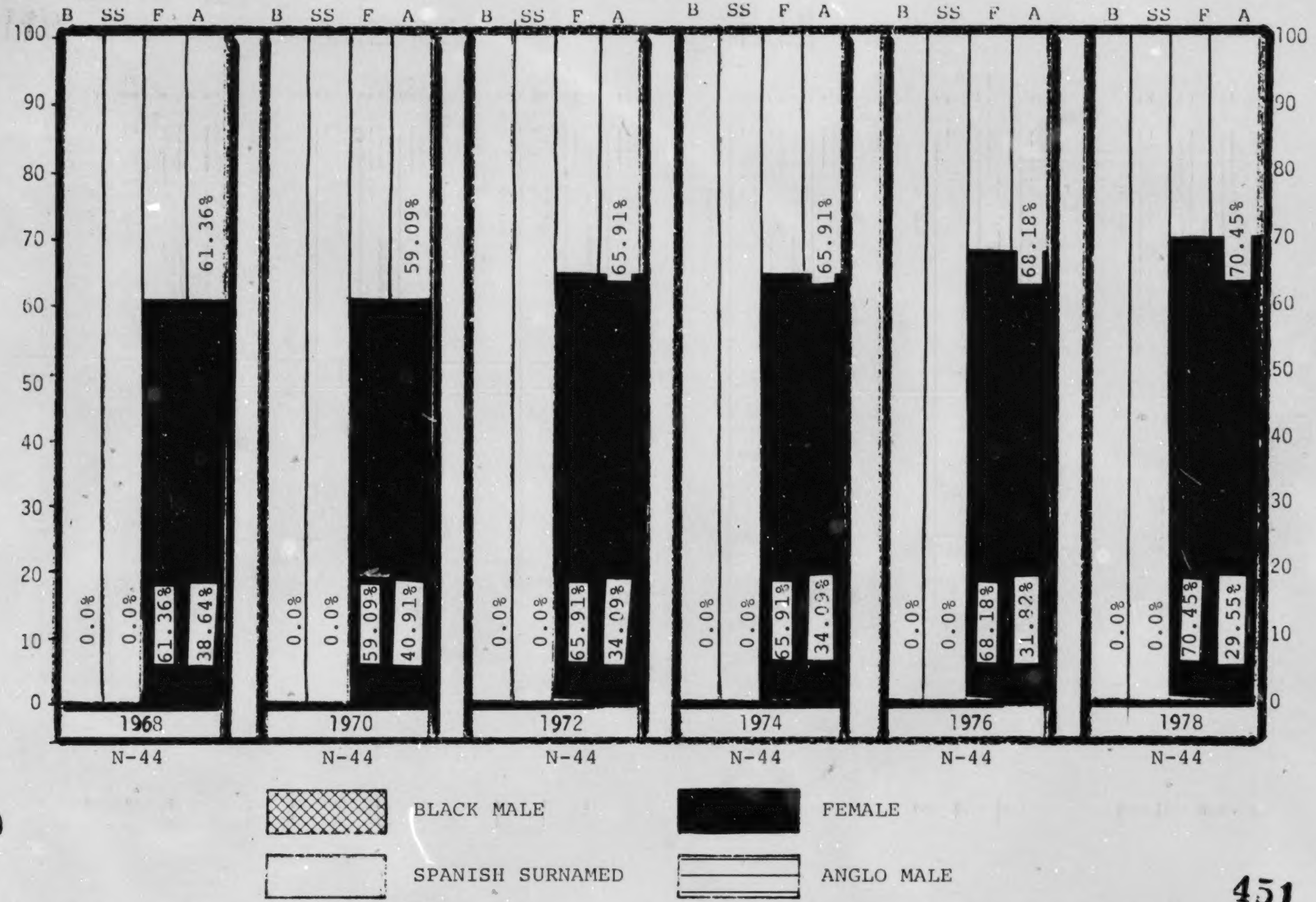
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-27
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, NORTH REGION, 1968-78.



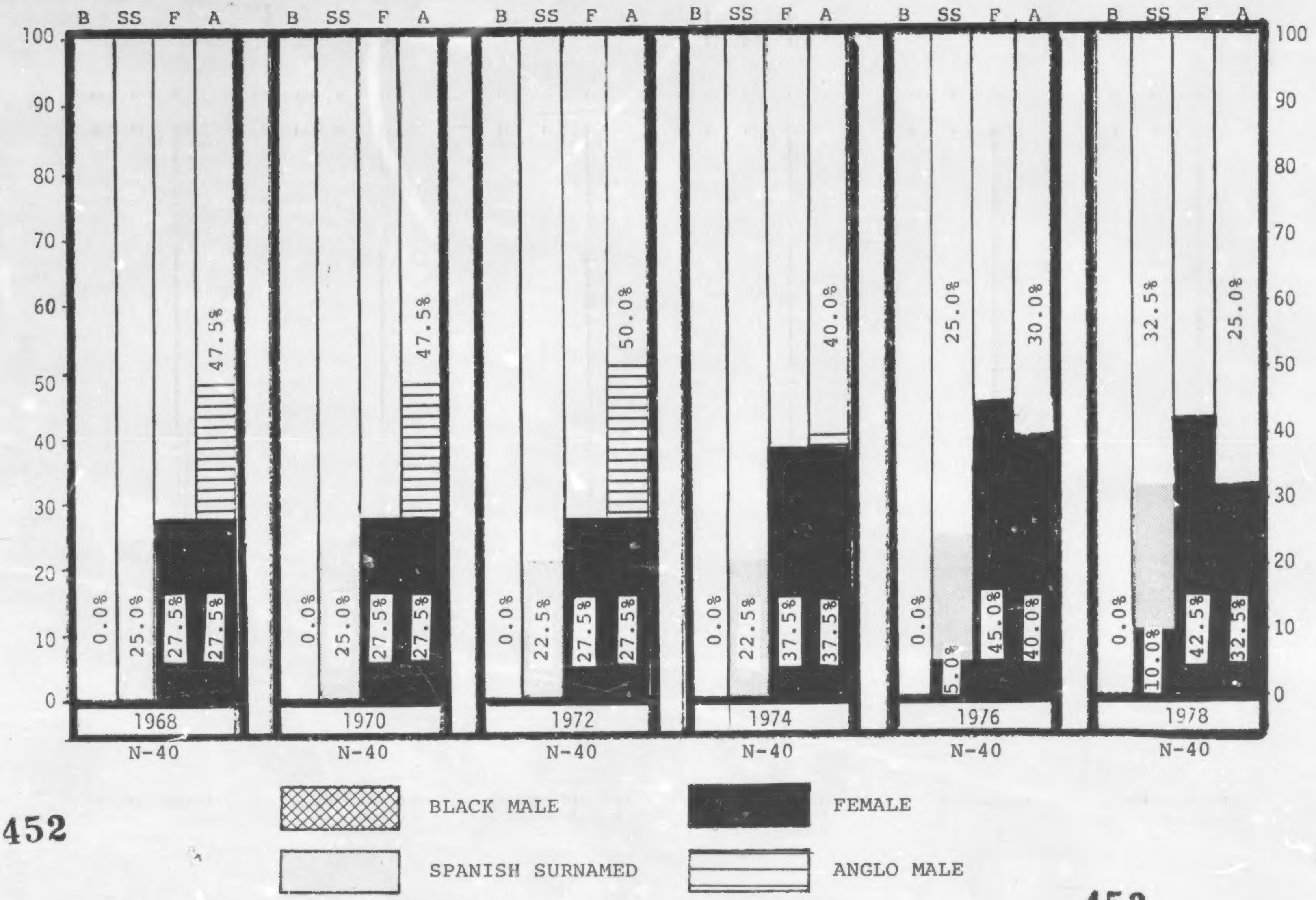
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-28
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, PANHANDLE REGION, 1968-78.



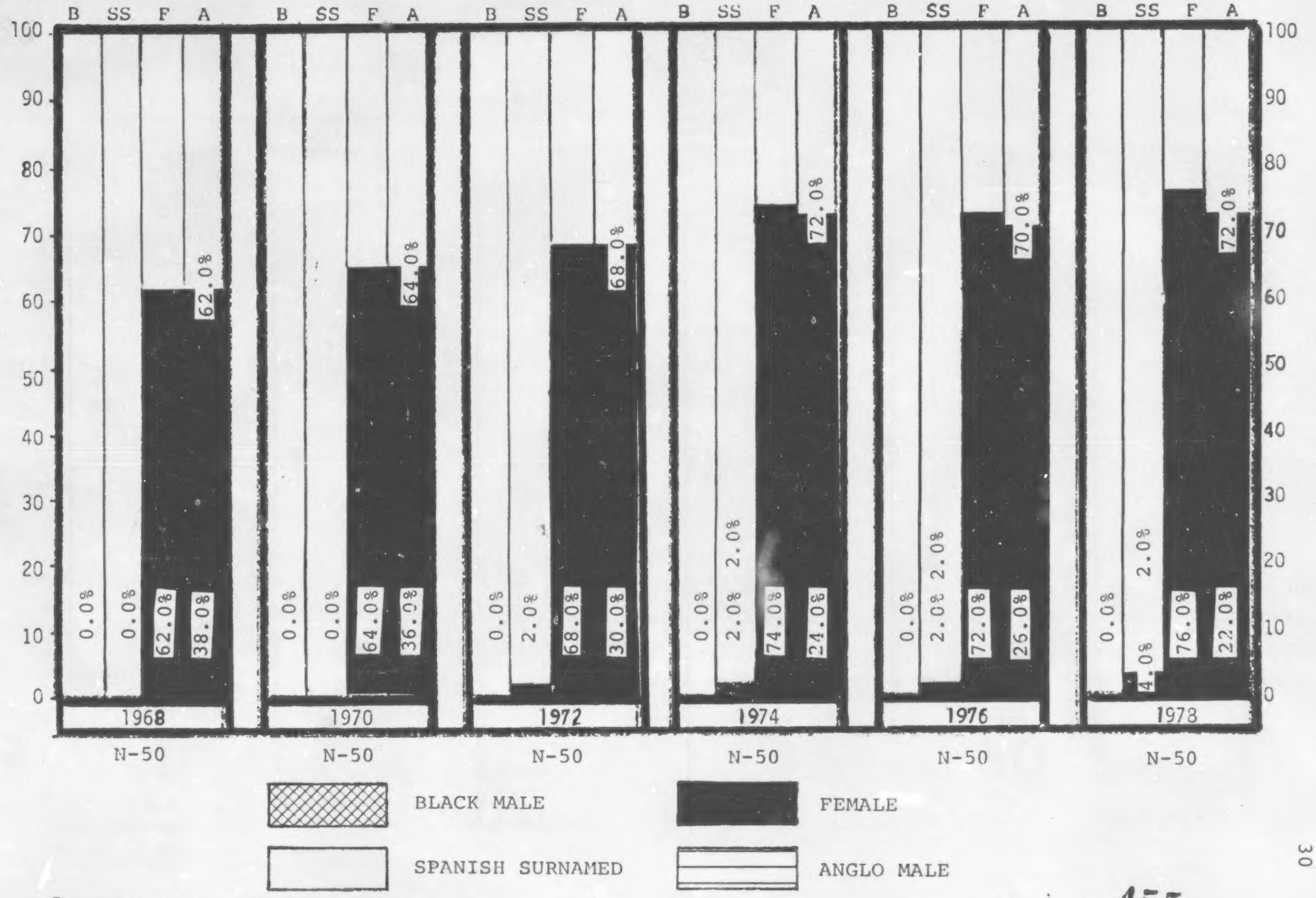
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-29
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, SOUTH REGION, 1968-78.



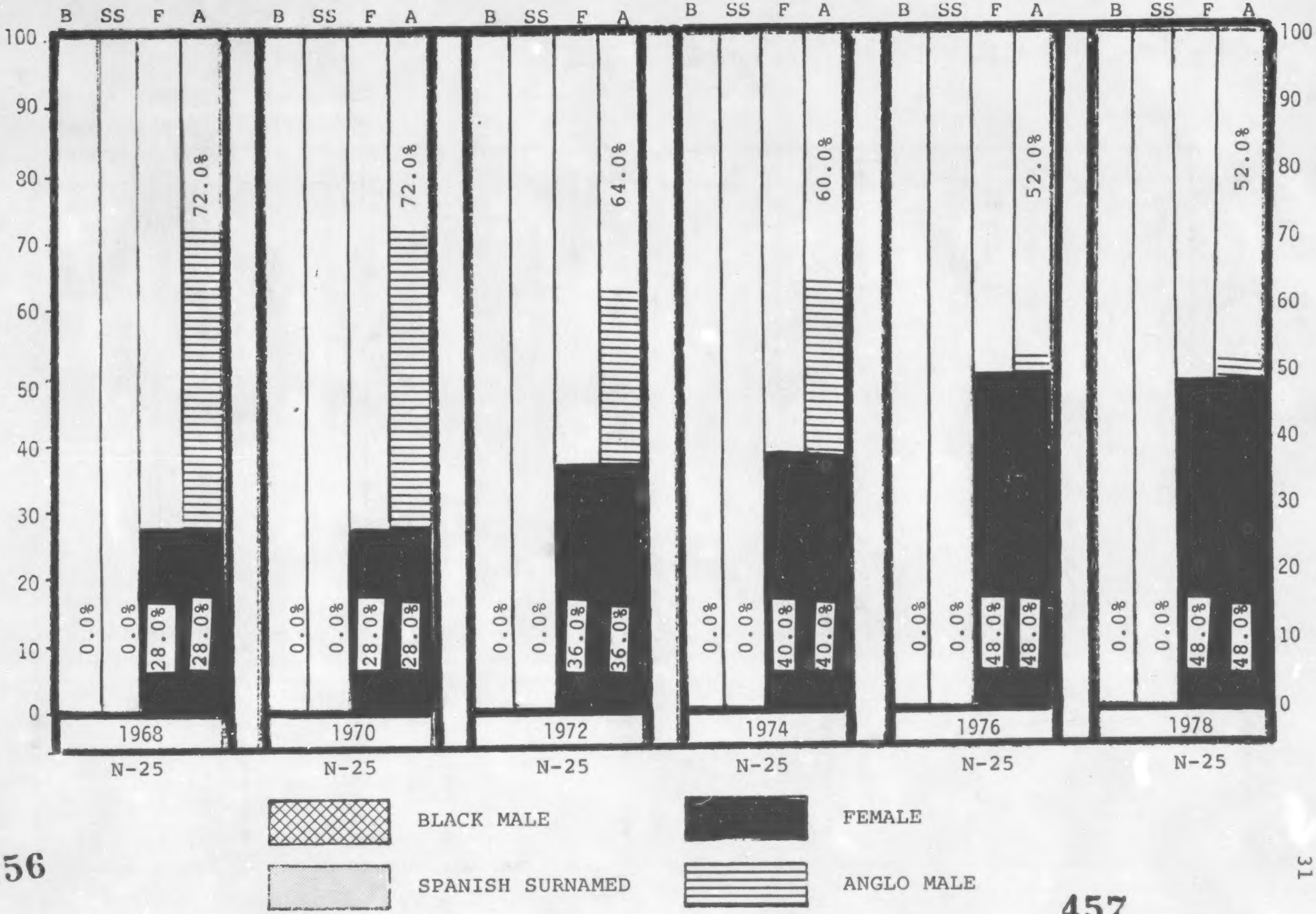
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-30
MINORITY AND FEMALE REPRESENTATION FOR COUNTY CLERK, WEST REGION, 1968-78.



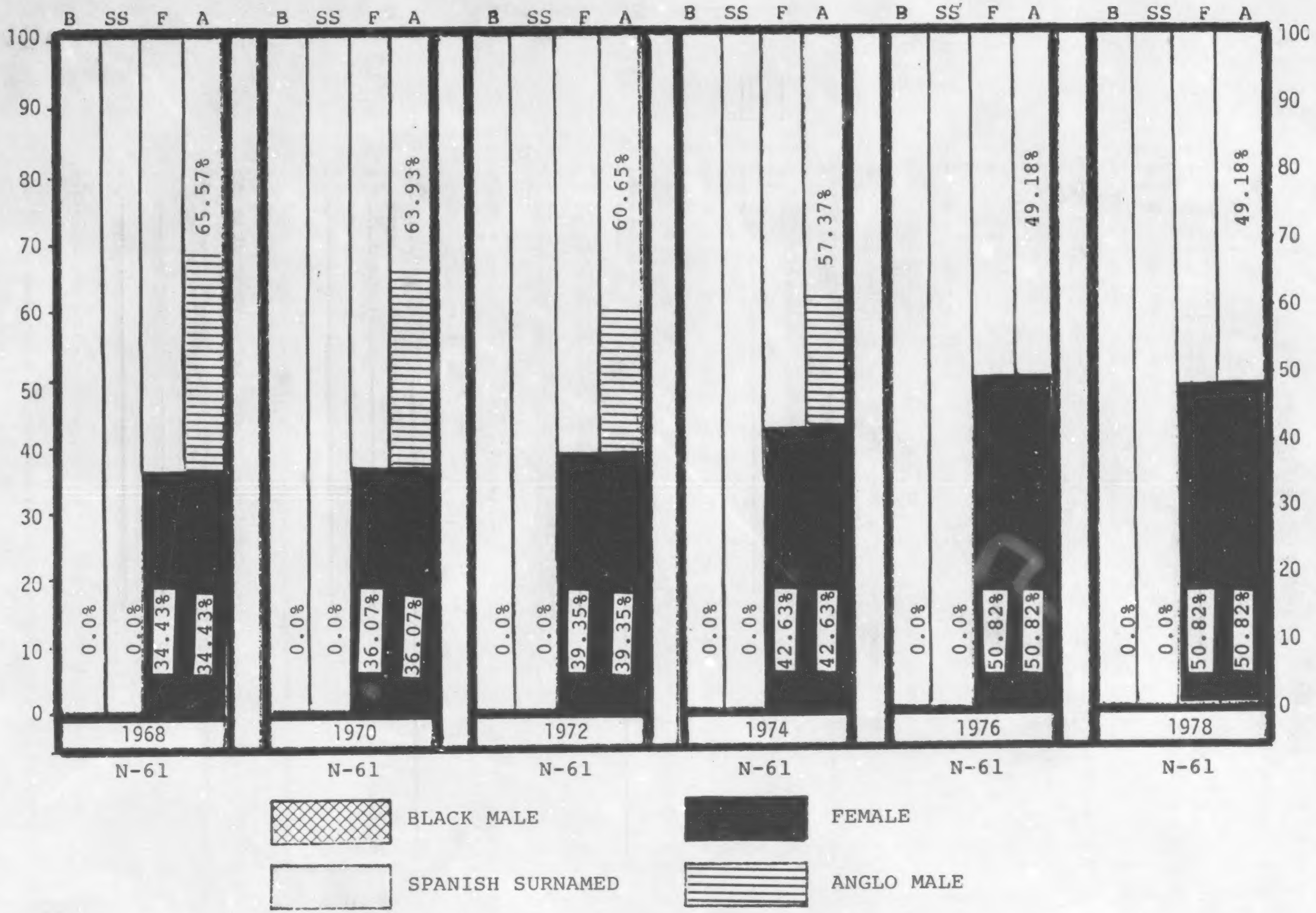
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-31
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, CENTRAL REGION, 1968-78.



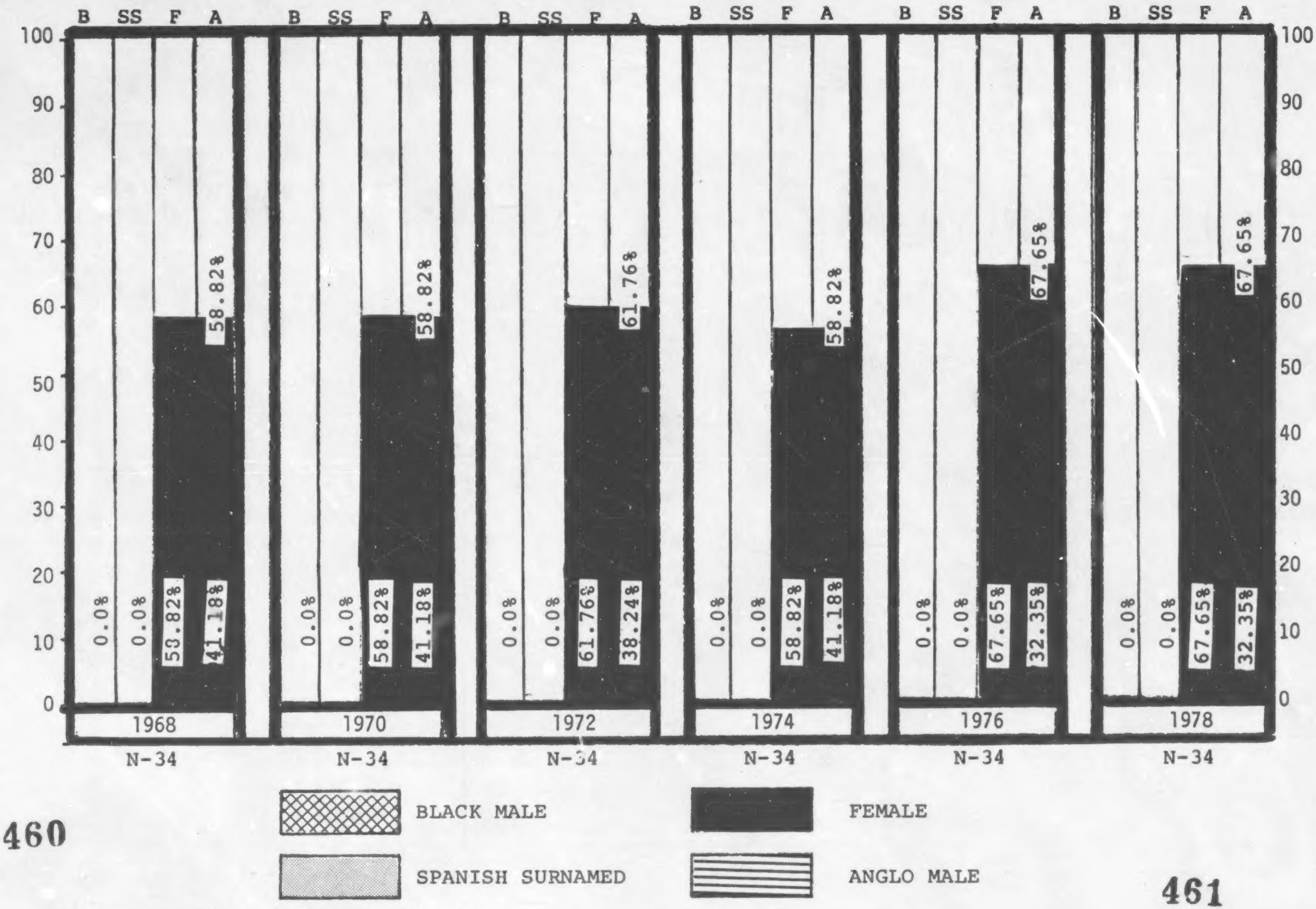
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-32
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, EAST REGION, 1968-78.



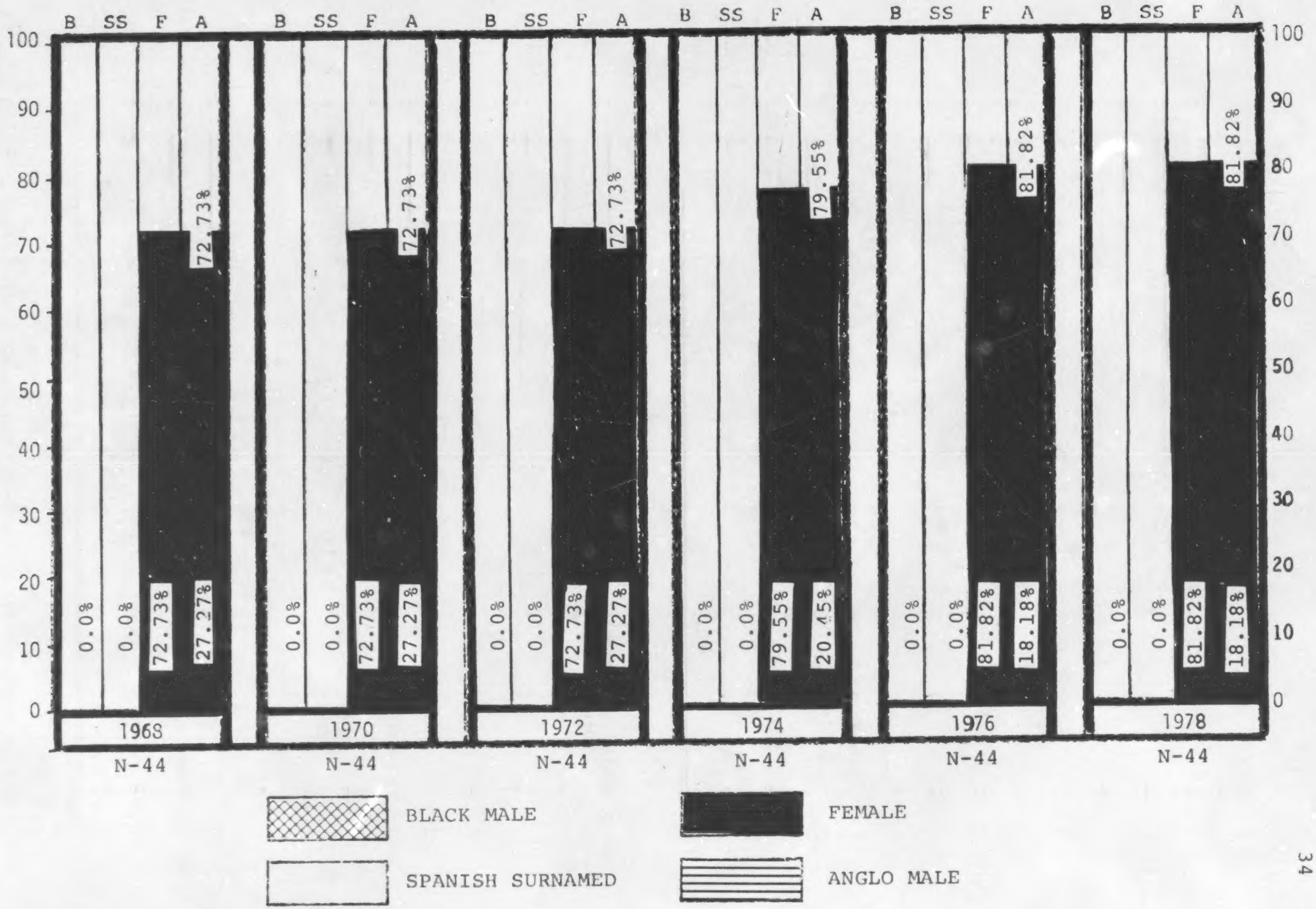
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-33
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK NORTH REGION, 1968-78.



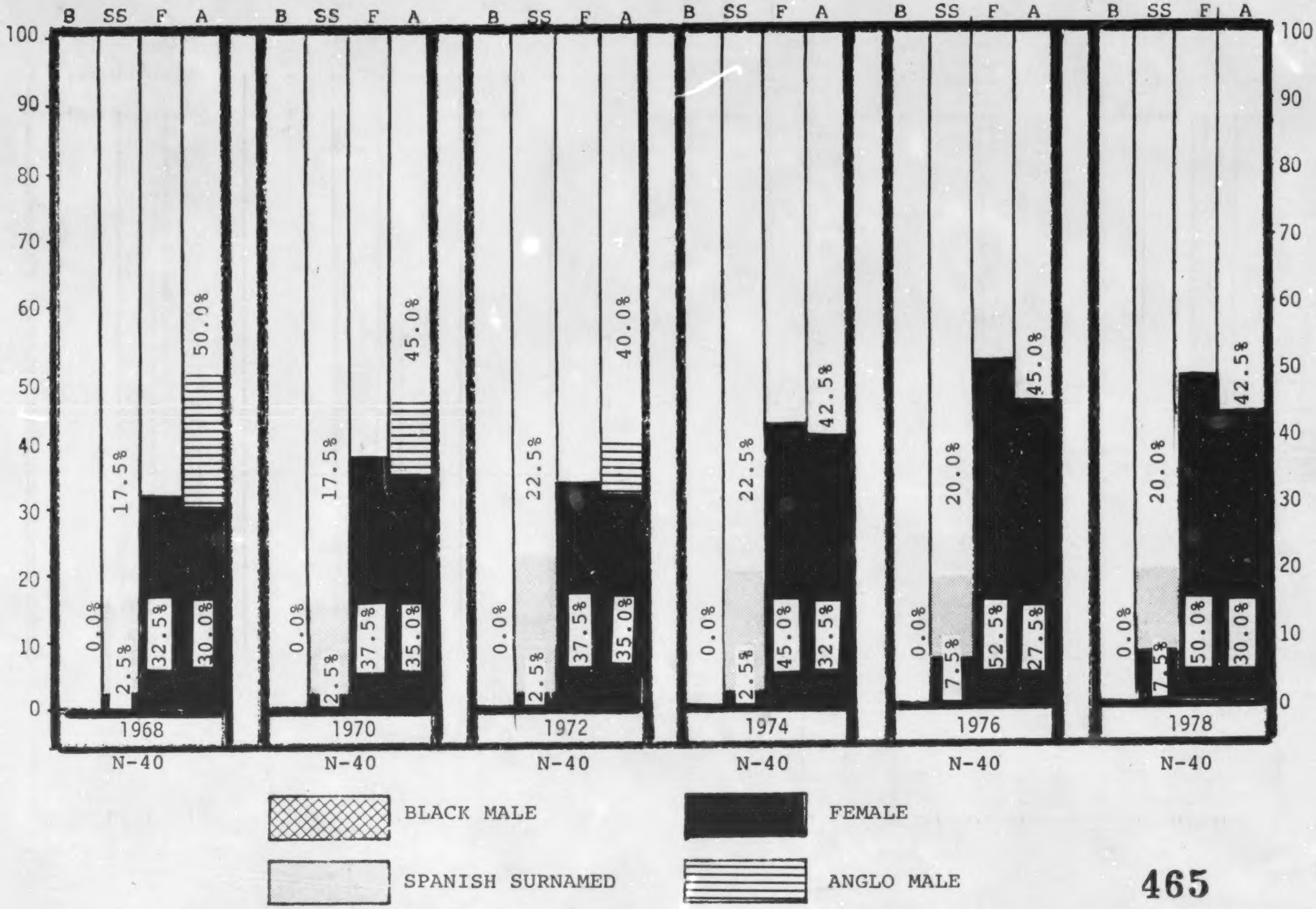
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-34
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, PANHANDLE REGION, 1968-78.



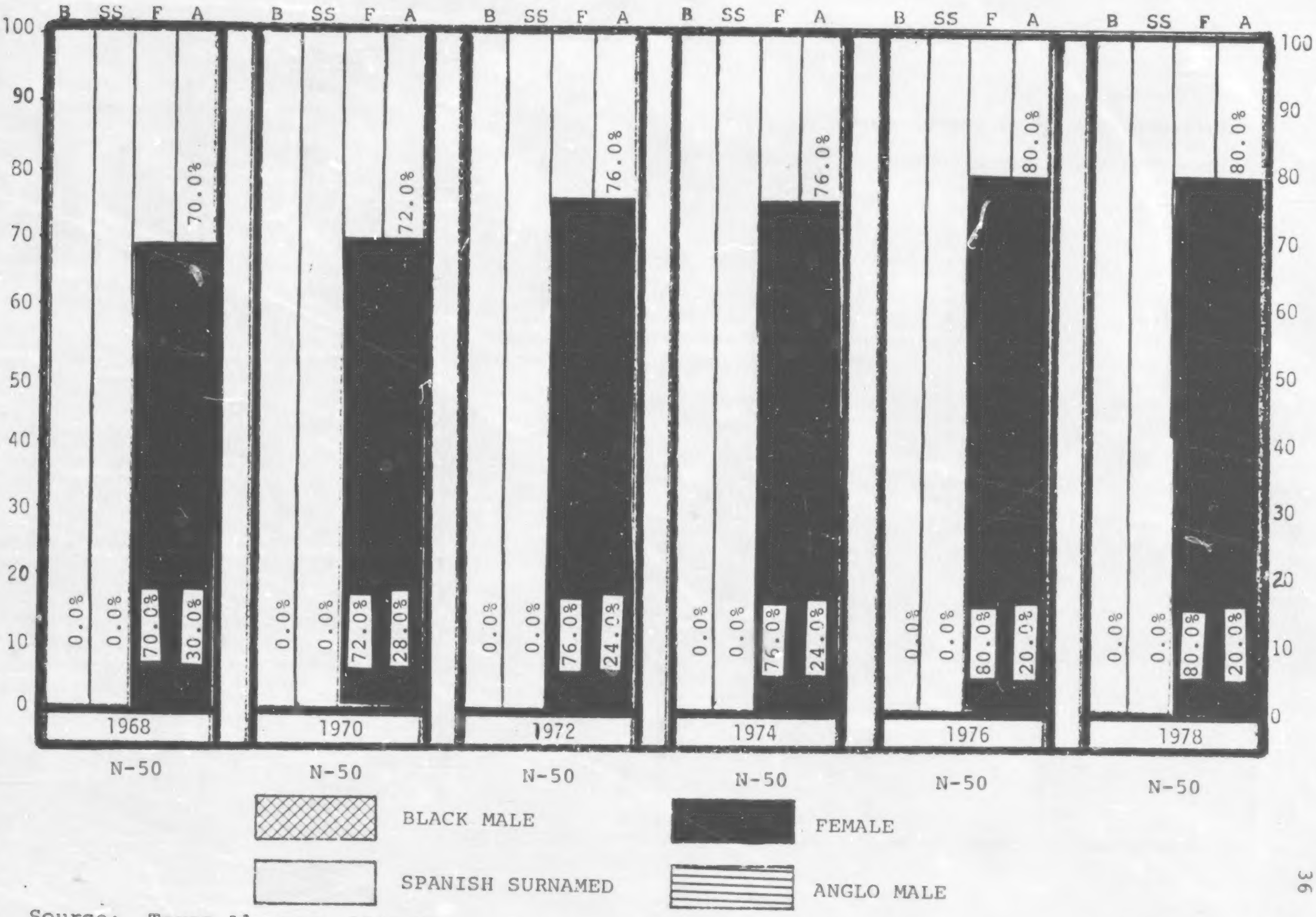
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-35
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, SOUTH REGION, 1968-78.



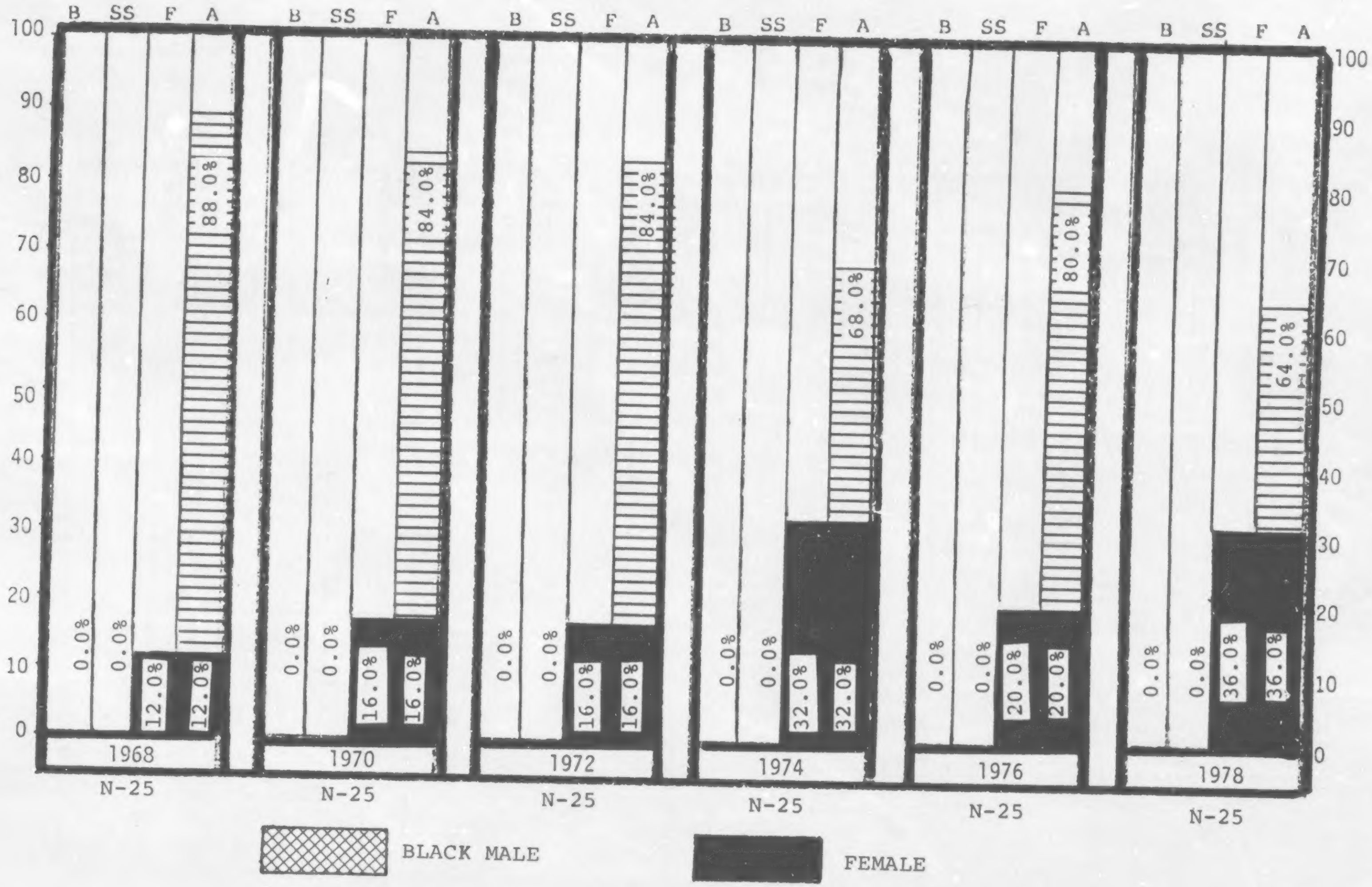
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-36
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT CLERK, WEST REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

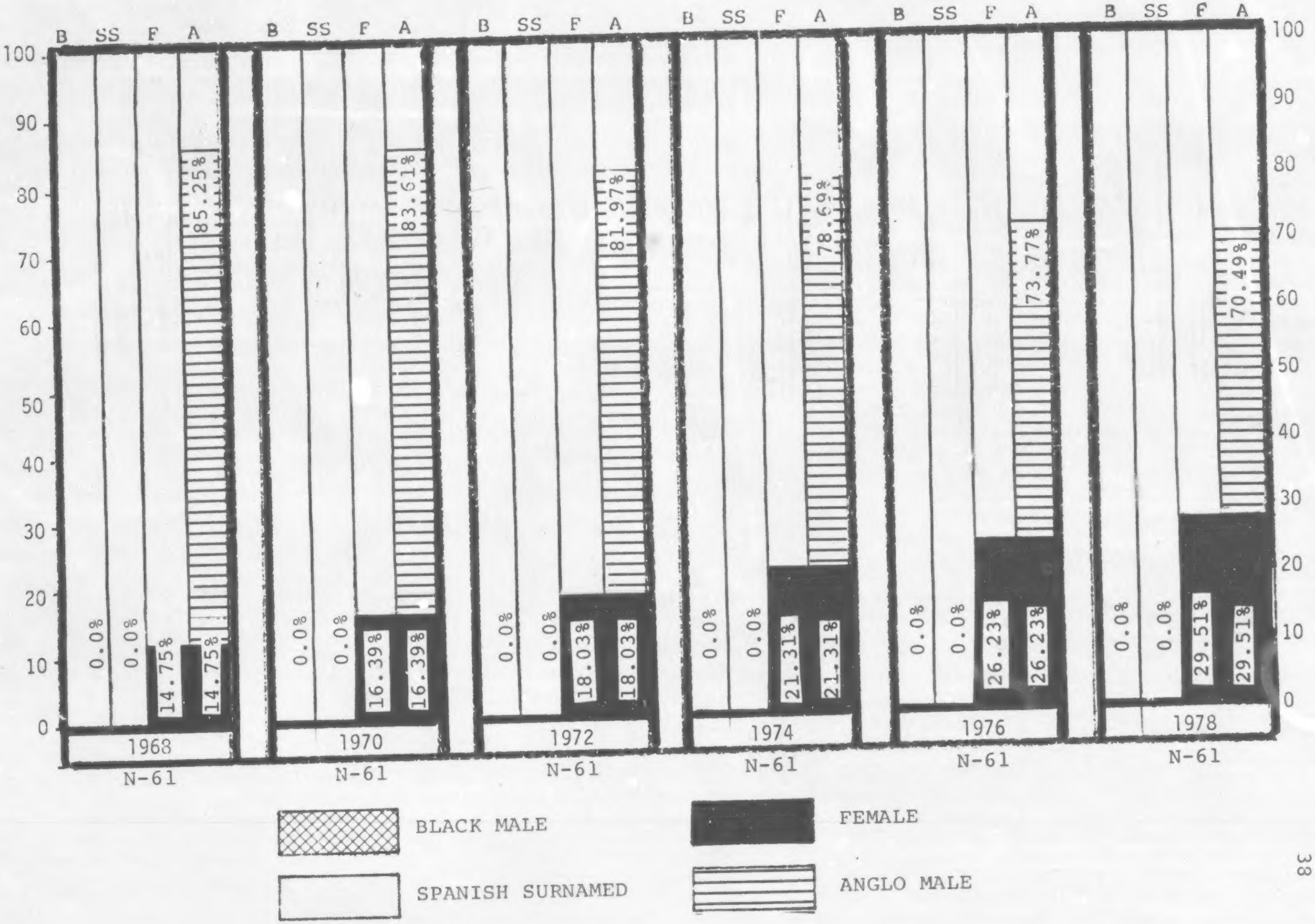
FIGURE B5-37
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, CENTRAL REGION 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-38

MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, EAST REGION 1968-78.



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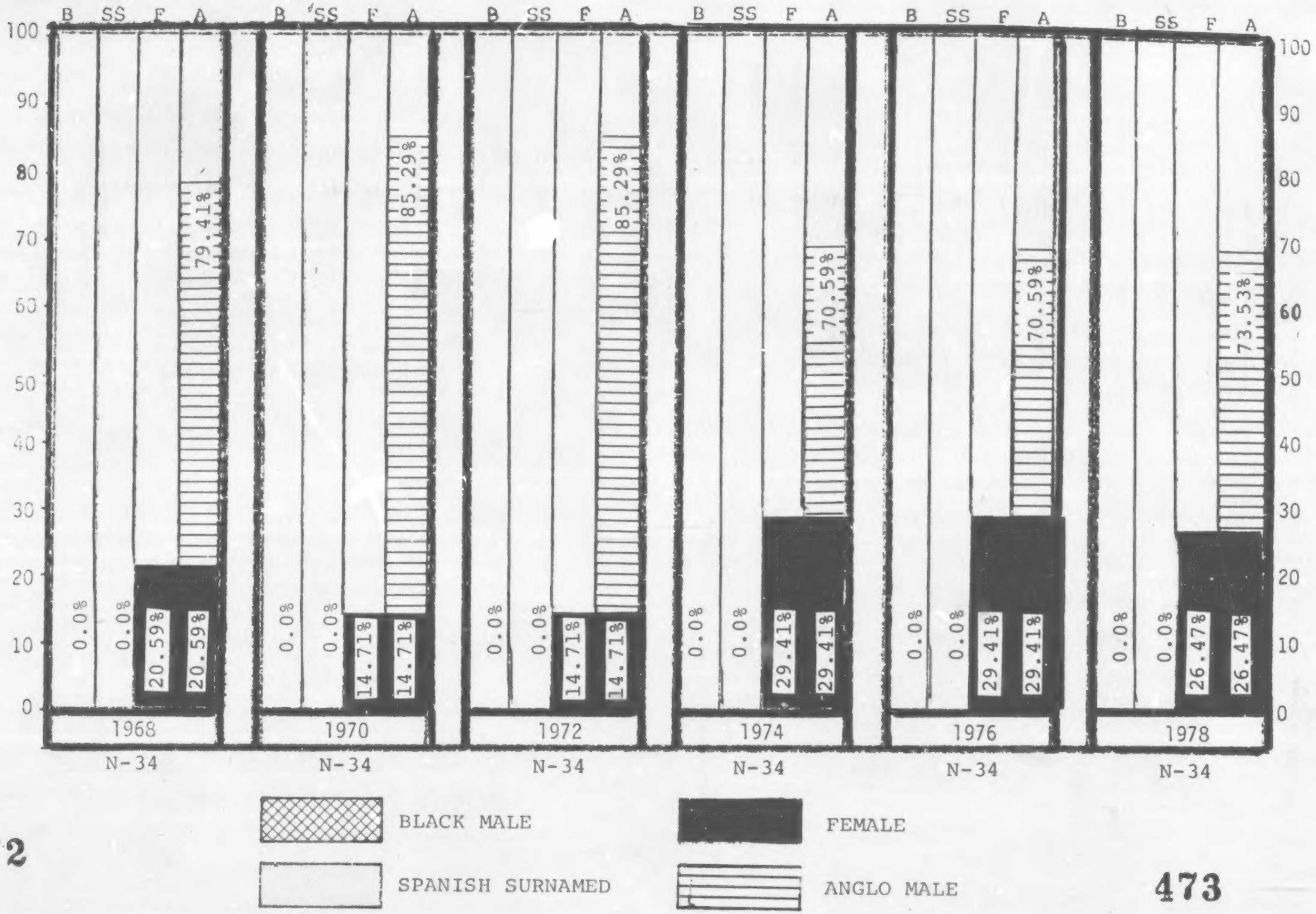
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

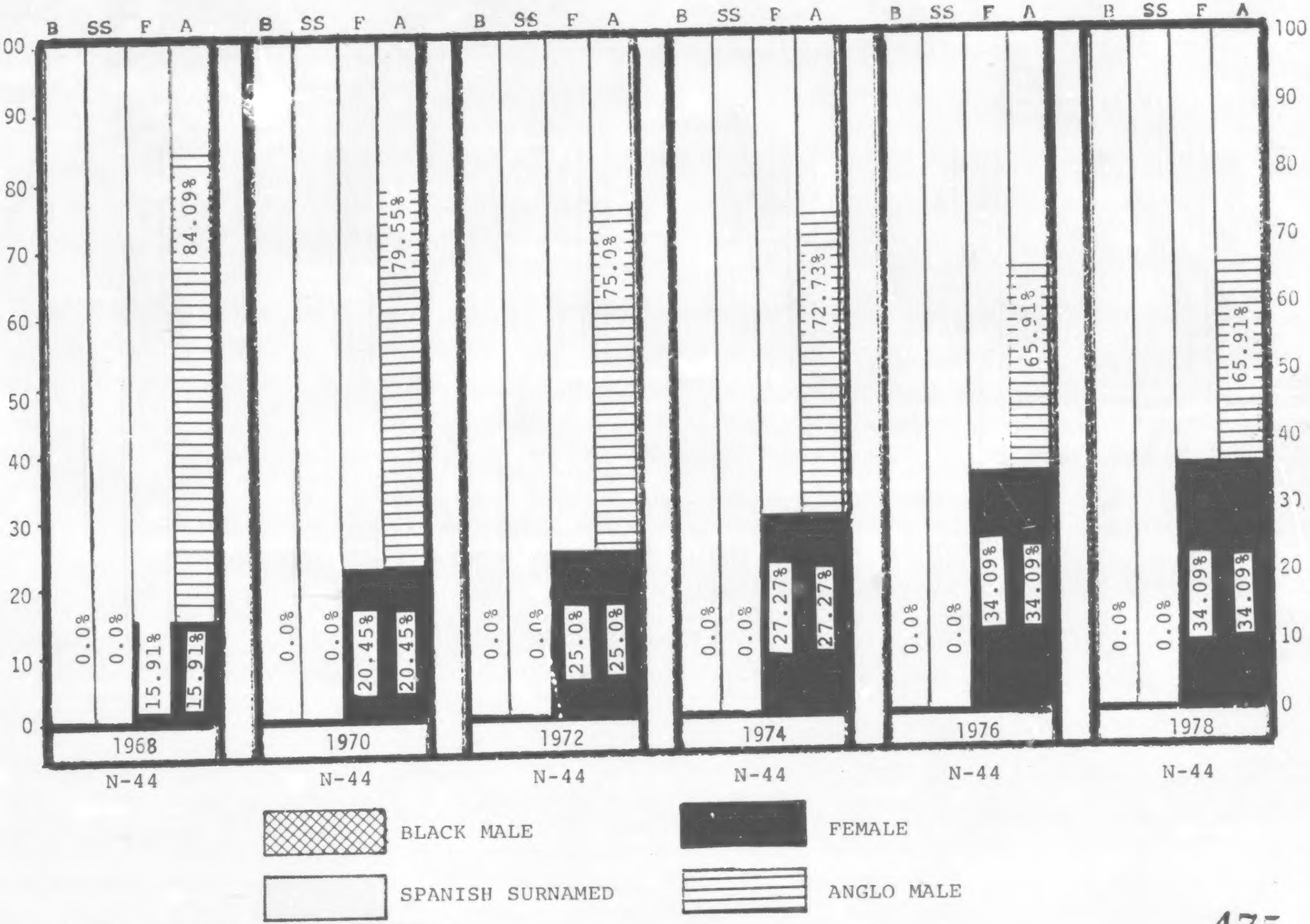
FIGURE B5-39
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, NORTH REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-40

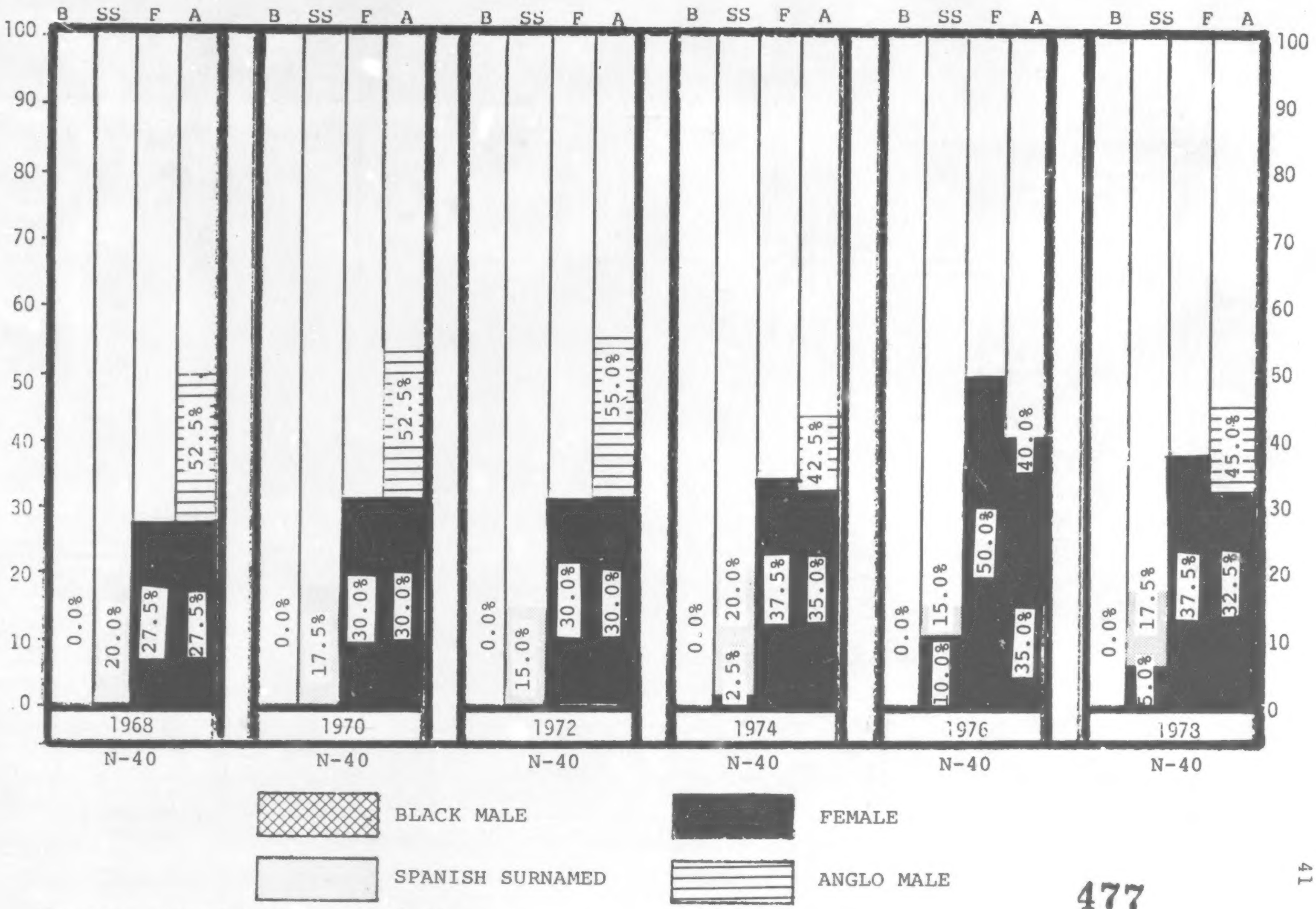
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, PANHANDLE REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-41

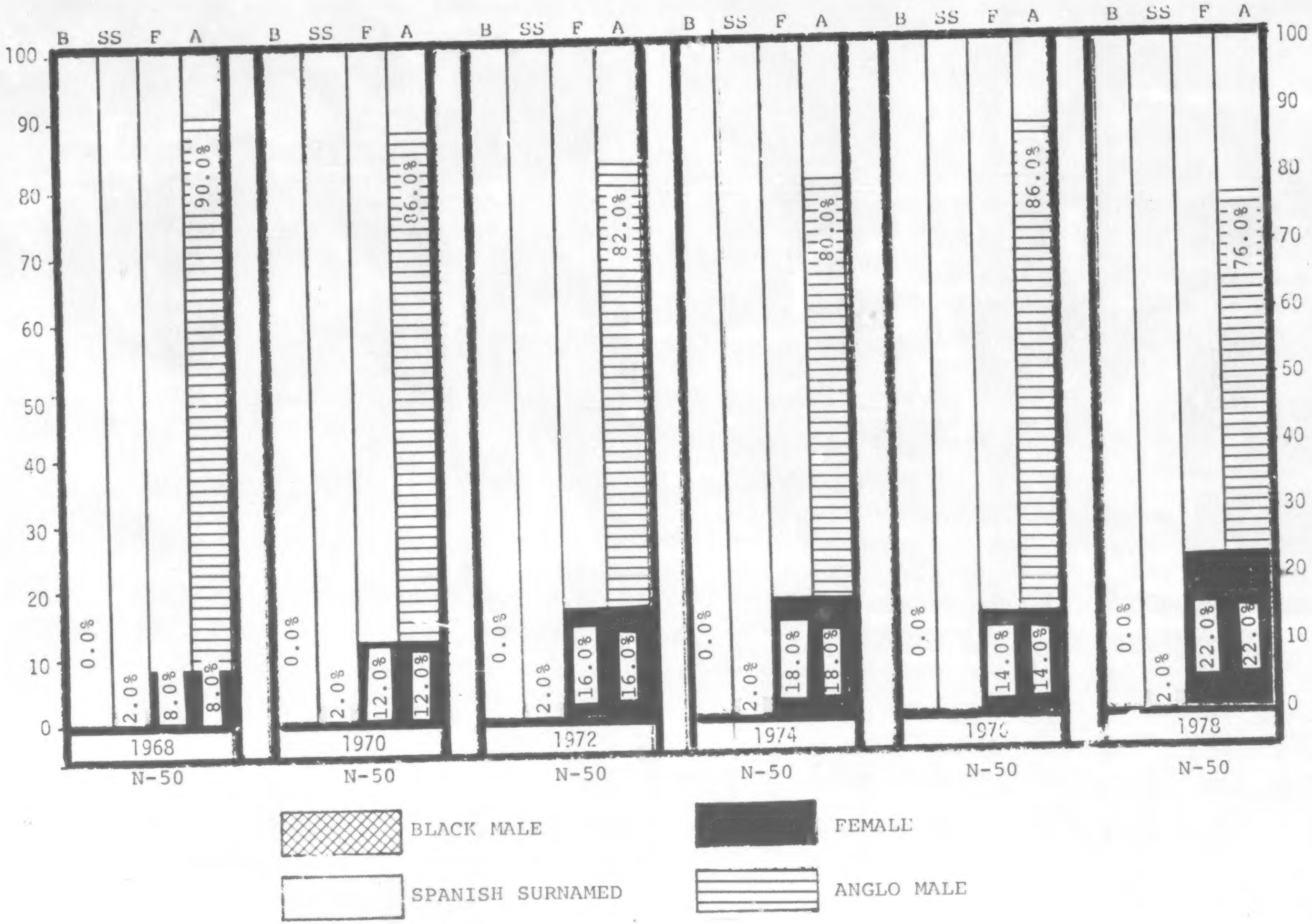
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, SOUTH REGION, 1968-78.



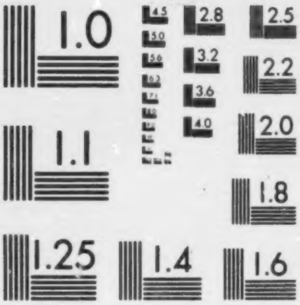
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-42

MINORITY AND FEMALE REPRESENTATION FOR COUNTY TAX ASSESSOR-COLLECTOR, WEST REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.


1.0
4.5
5.0
5.6
6.3
7.1
8.0
2.8
3.2
3.6
4.0
2.5
2.2
2.0
1.1
1.8
1.25
1.4
1.6

MICROCOPY RESOLUTION TEST CHART
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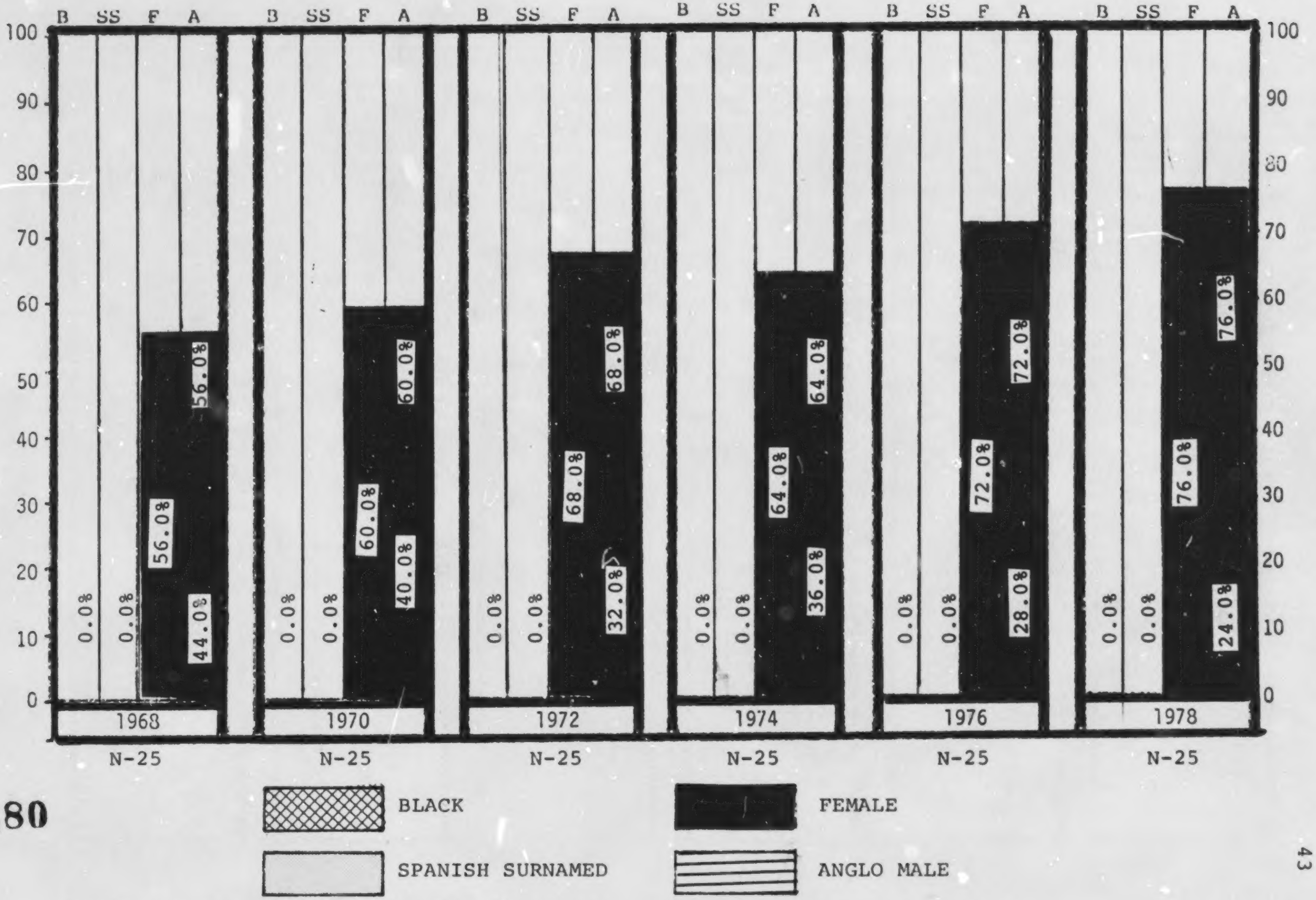
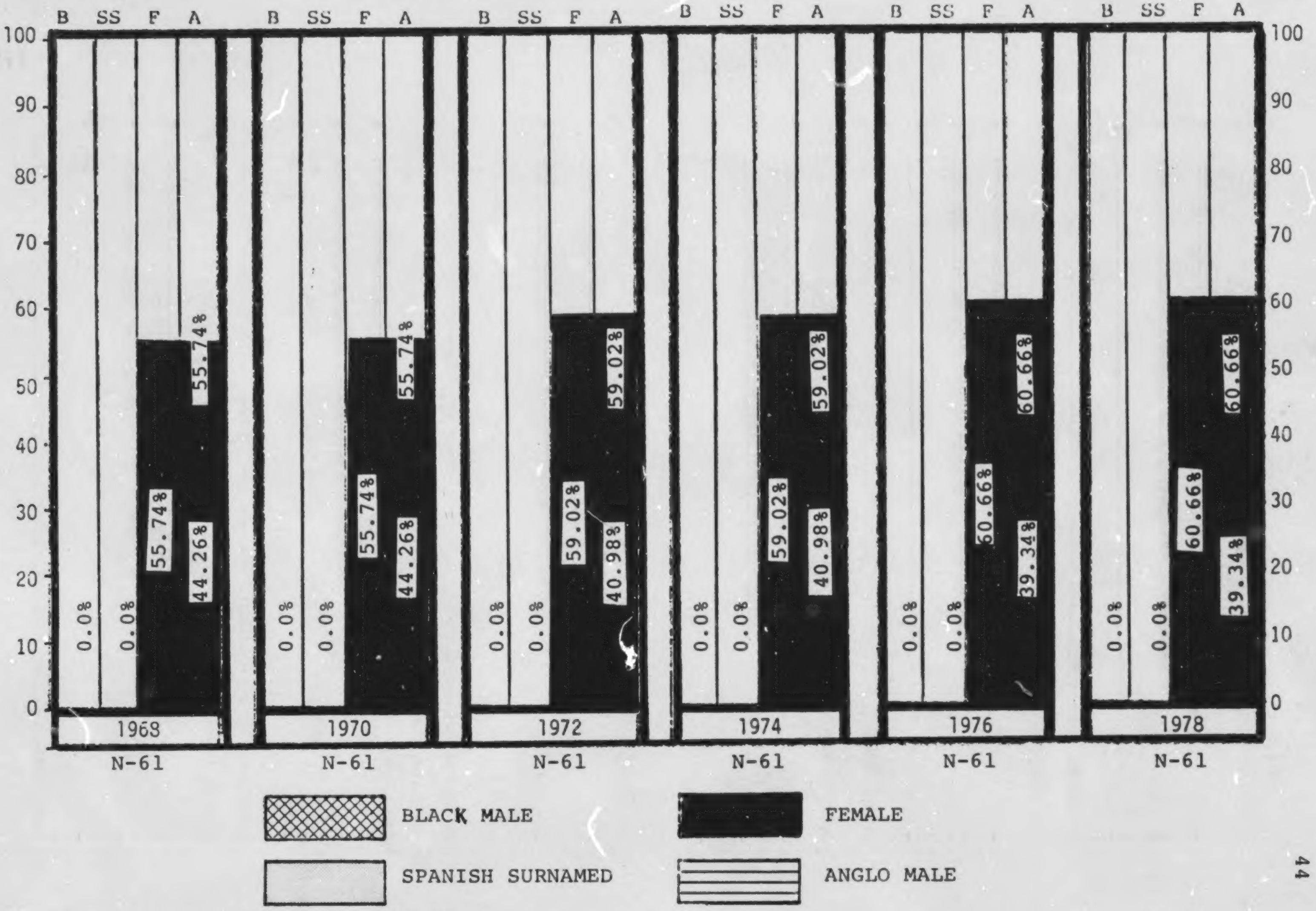
FIGURE B5-43
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, CENTRAL REGION, 1968-78.



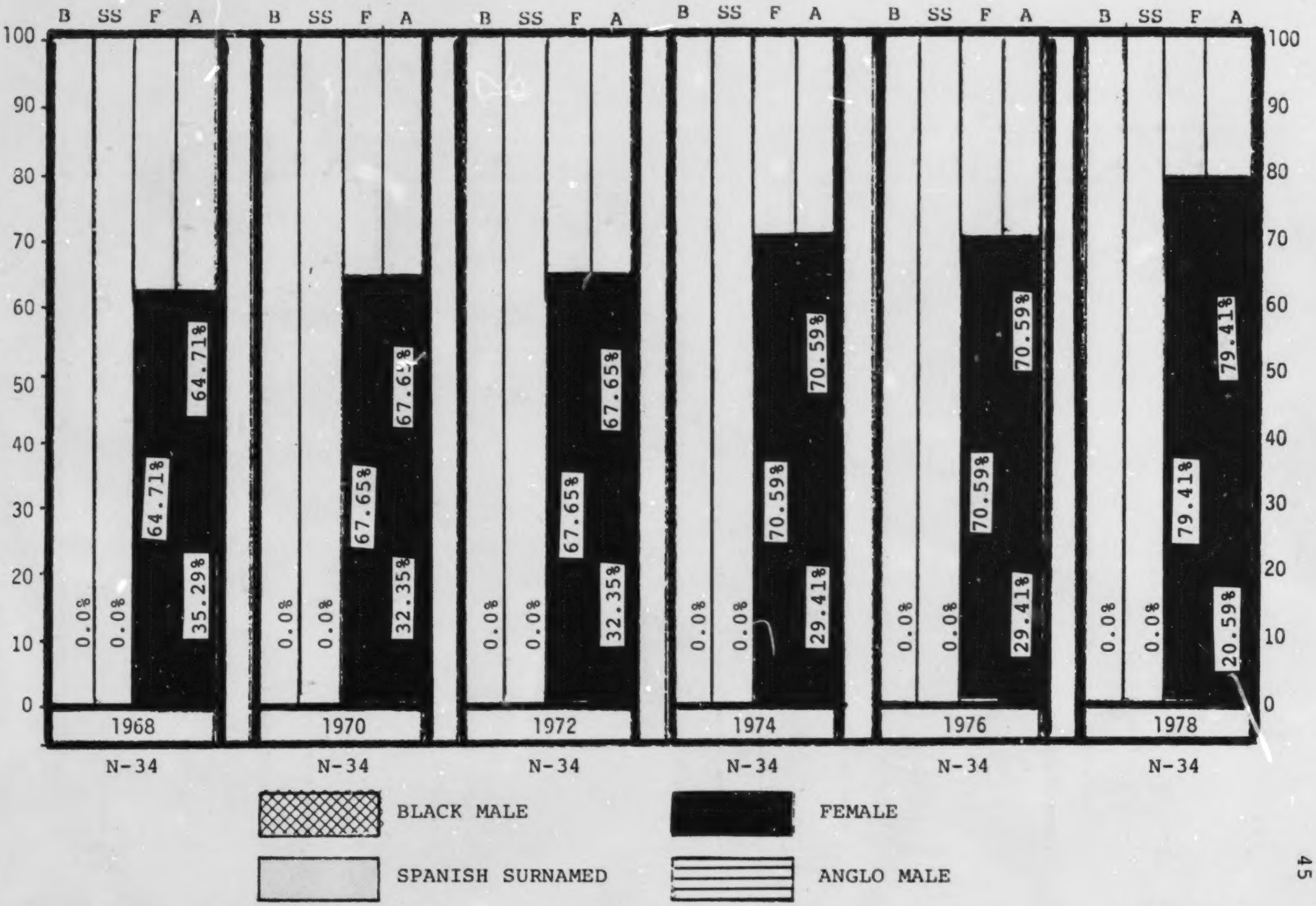
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-44
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, EAST REGION, 1968-78.



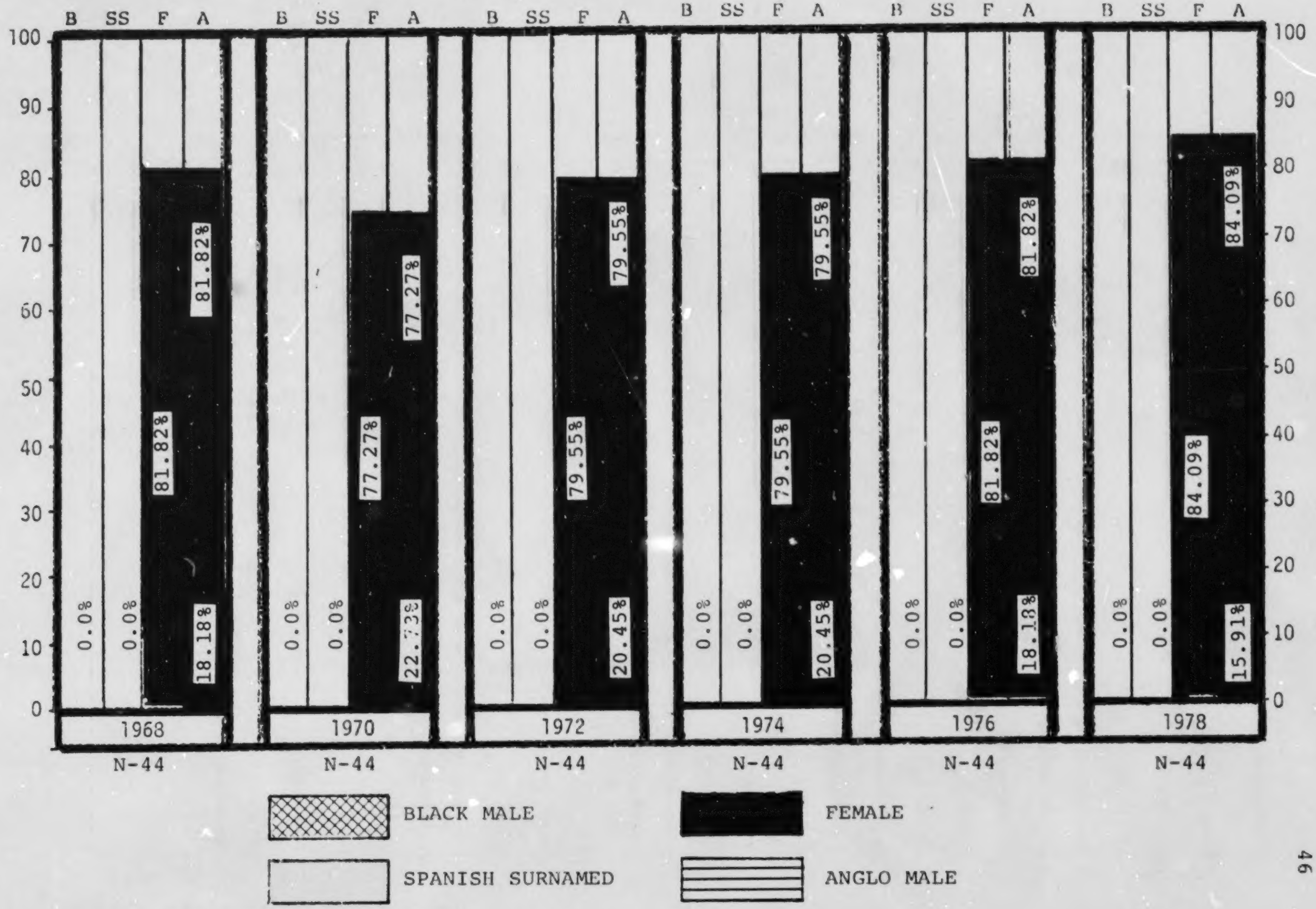
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-45
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, NORTH REGION, 1968-78.



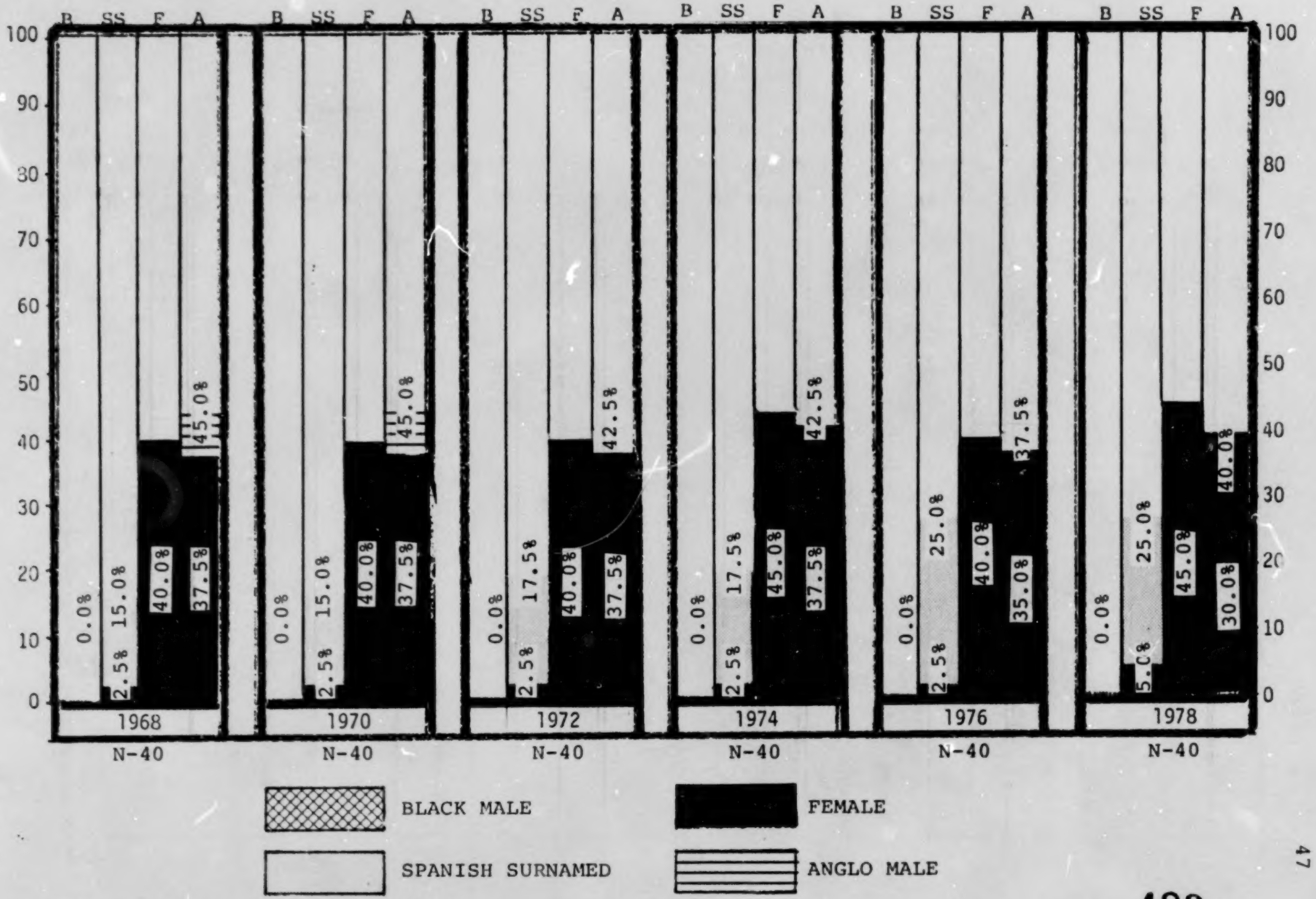
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-46
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, PANHANDLE REGION, 1968-78.



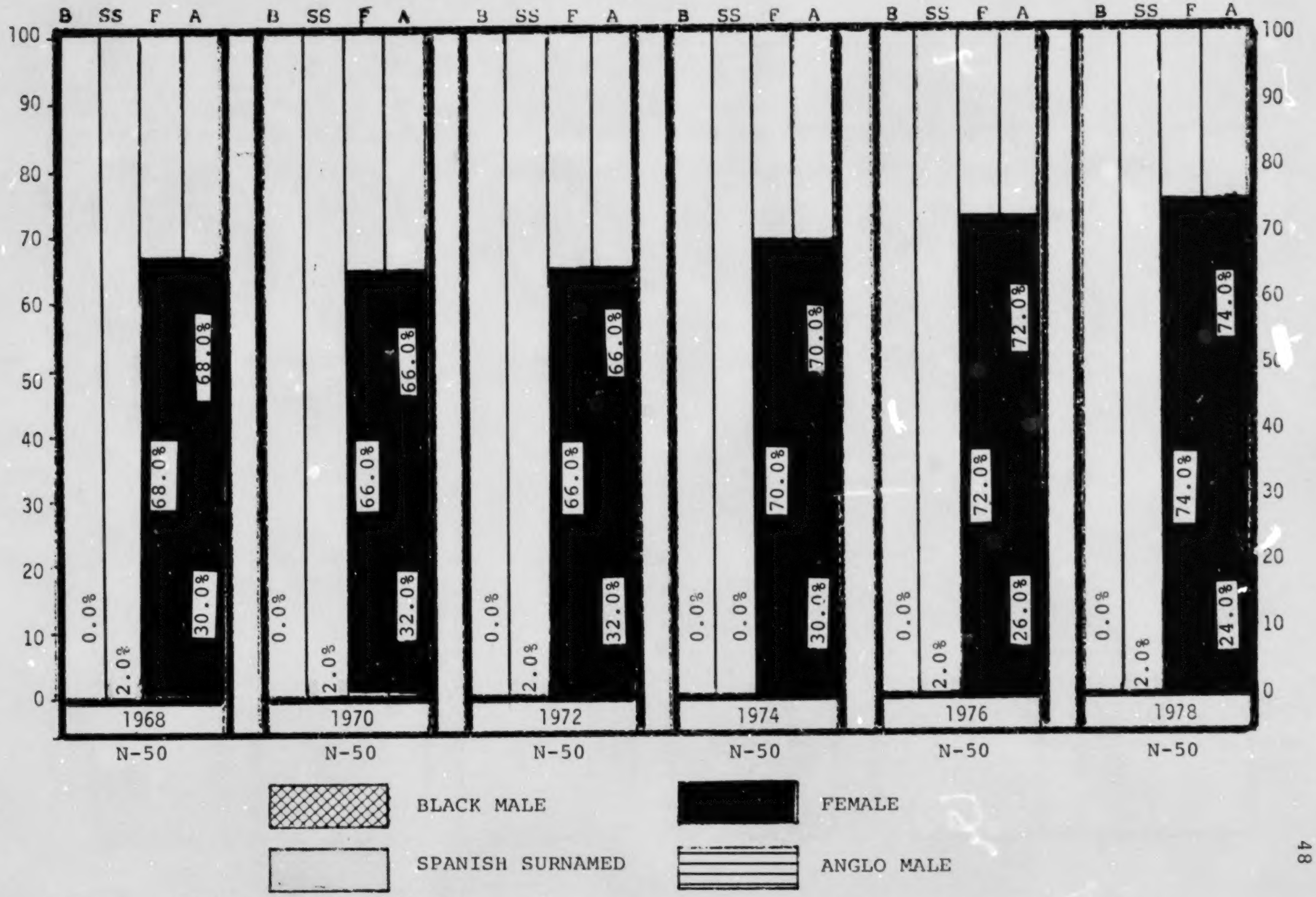
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-47
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, SOUTH REGION, 1978-78.



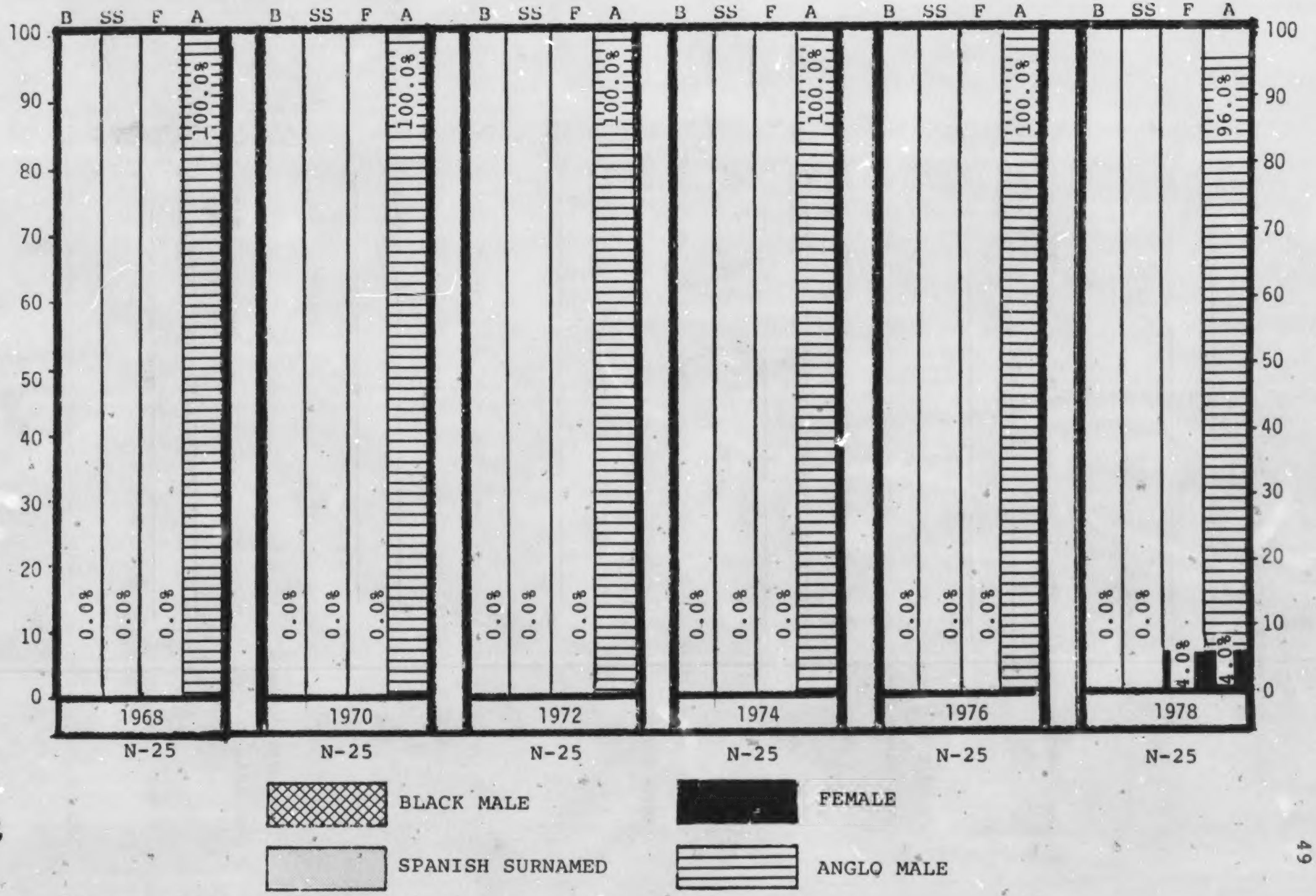
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-48
MINORITY AND FEMALE REPRESENTATION FOR COUNTY TREASURER, WEST REGION, 1968-78.



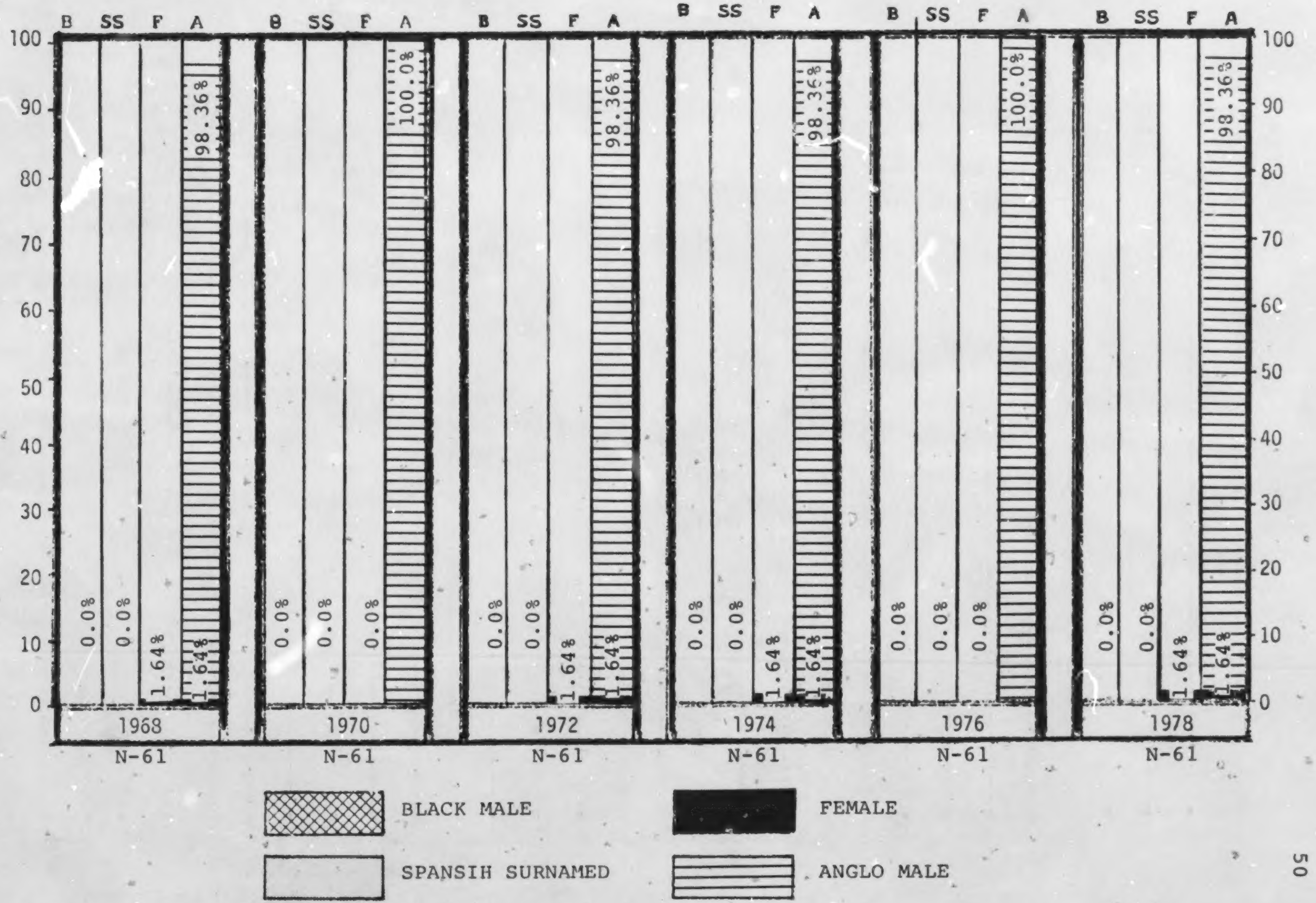
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-49
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, CENTRAL REGION, 1968-78.



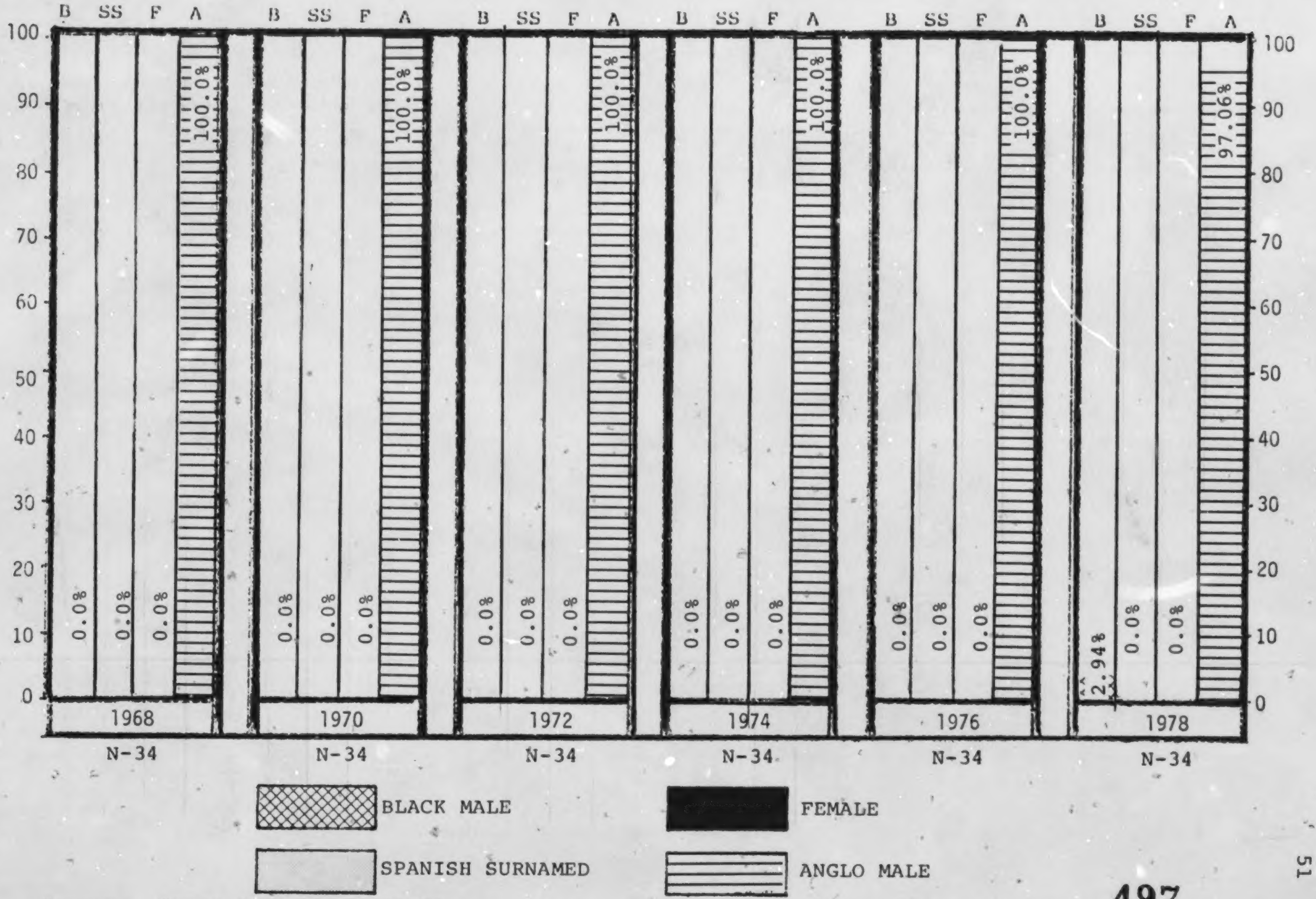
Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-50
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, EAST REGION, 1968-78.



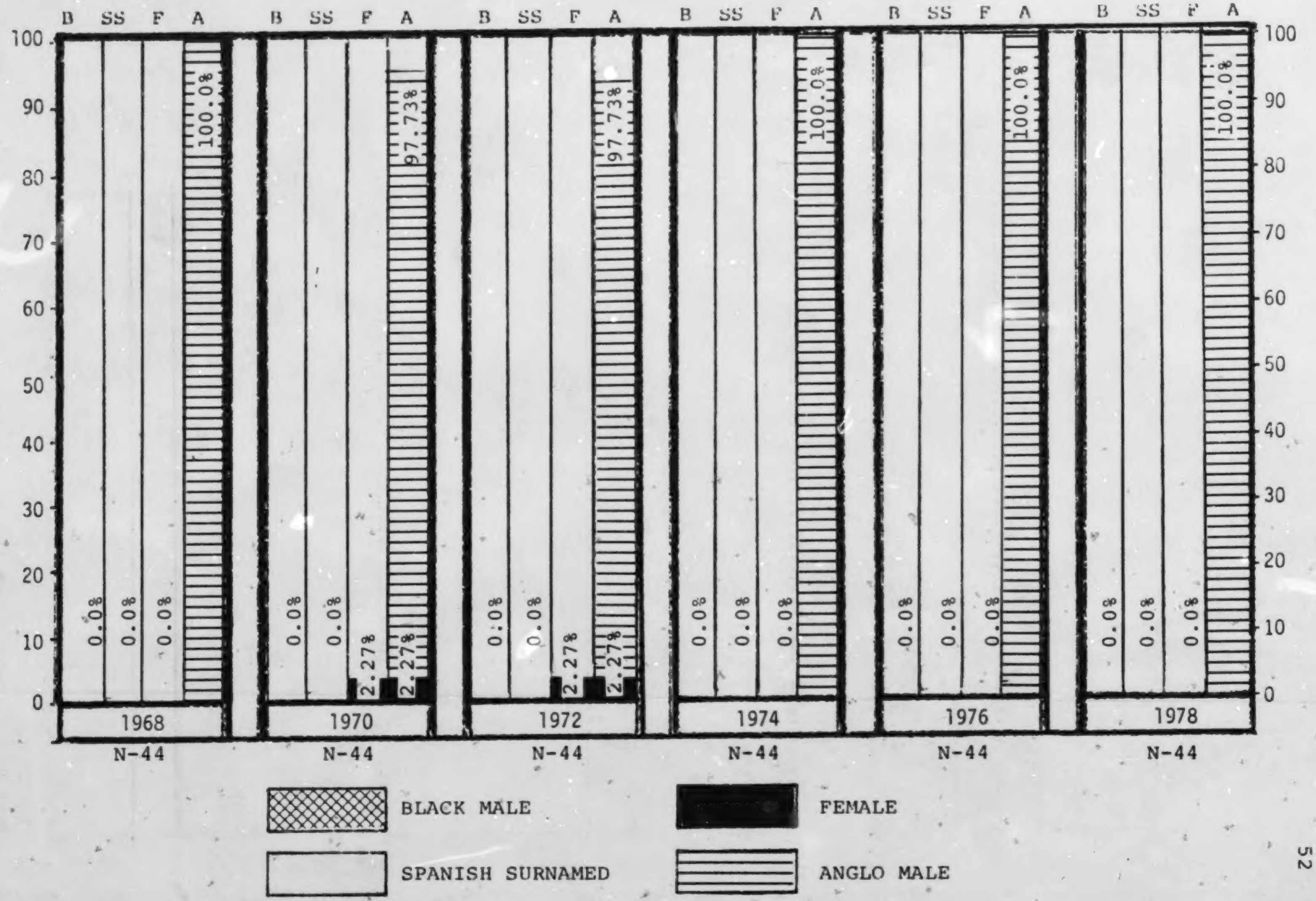
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-51
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, NORTH REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

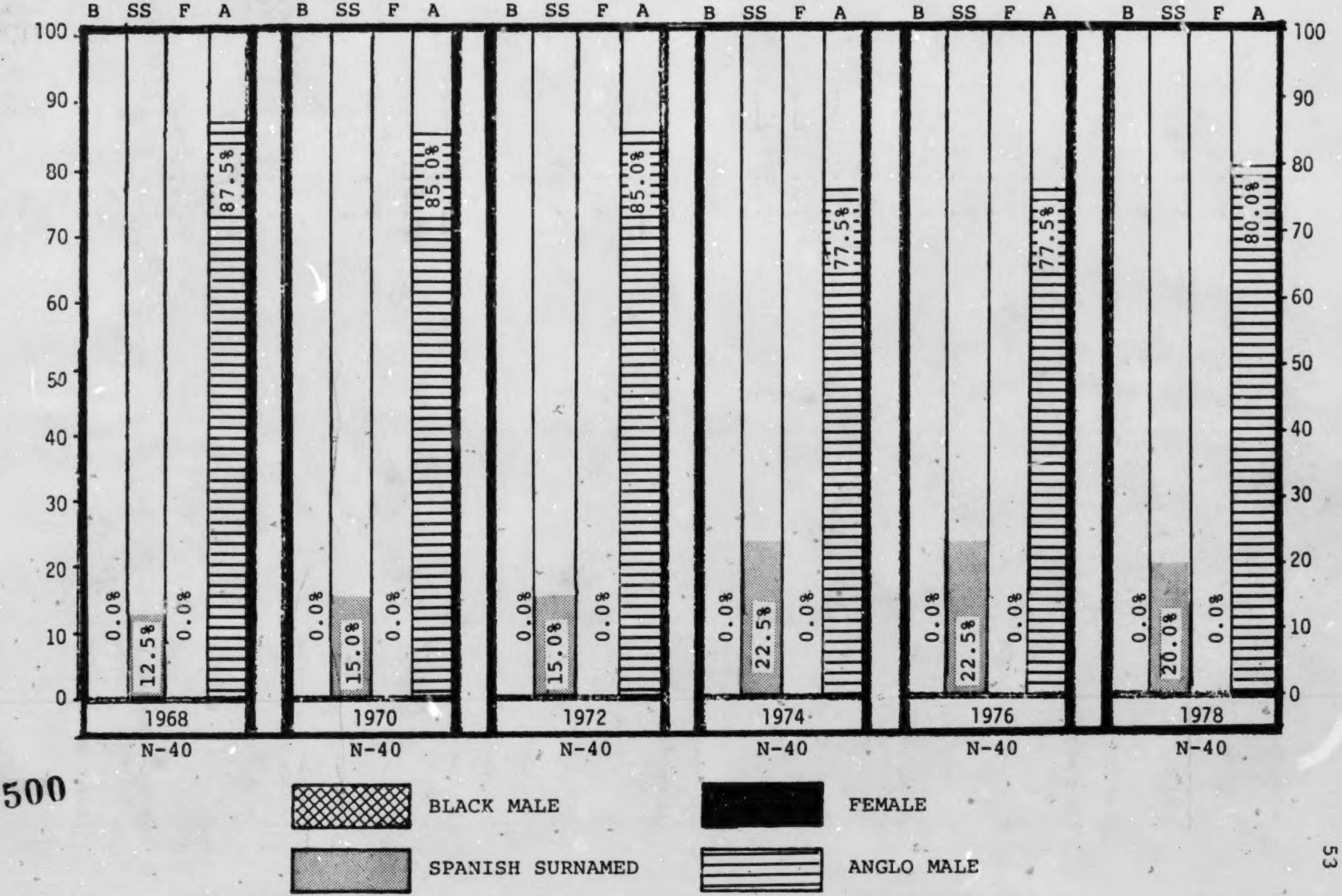
FIGURE B5-52
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, PANHANDLE REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

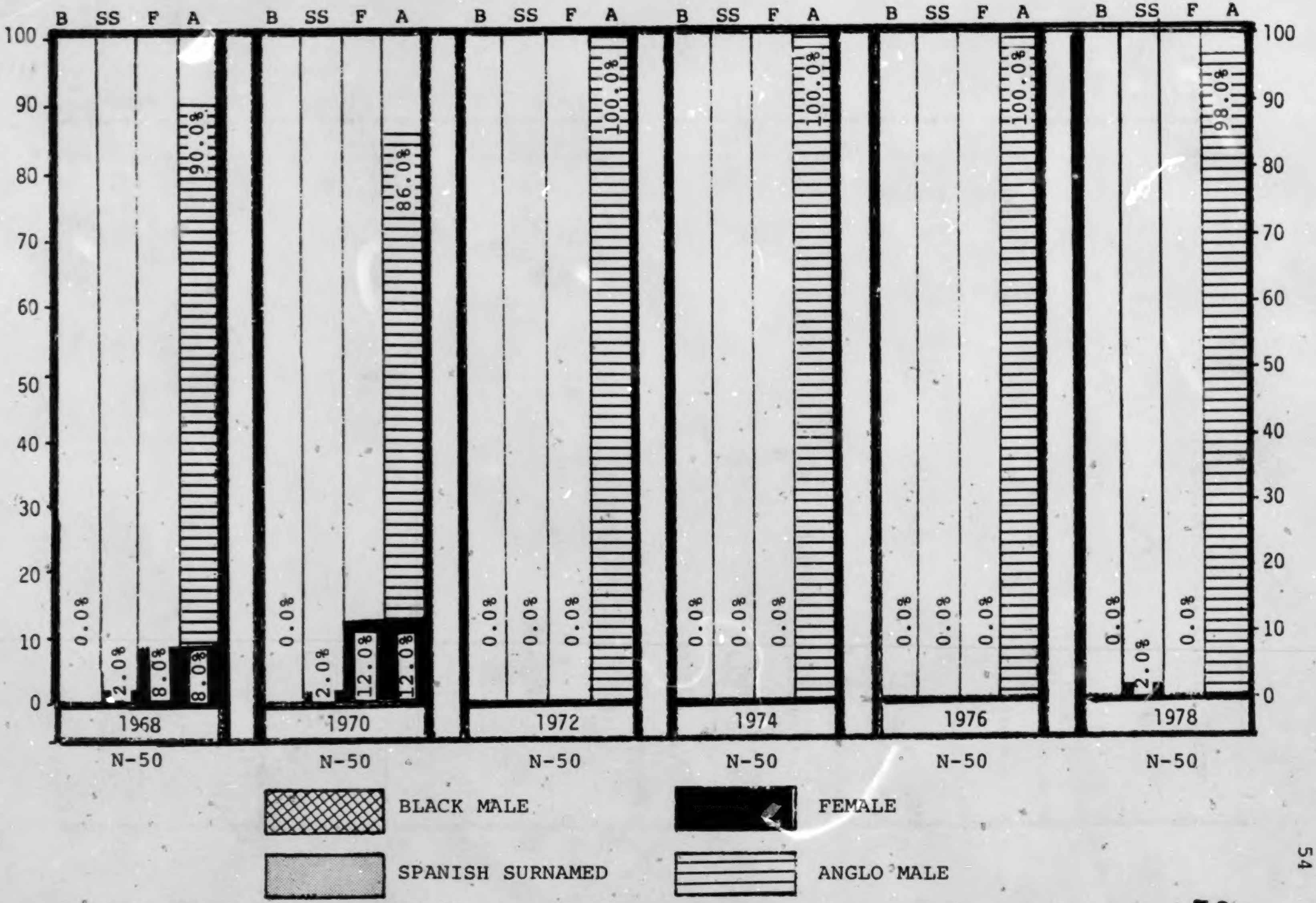
FIGURE B5-53

MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, SOUTH REGION, 1968-78.



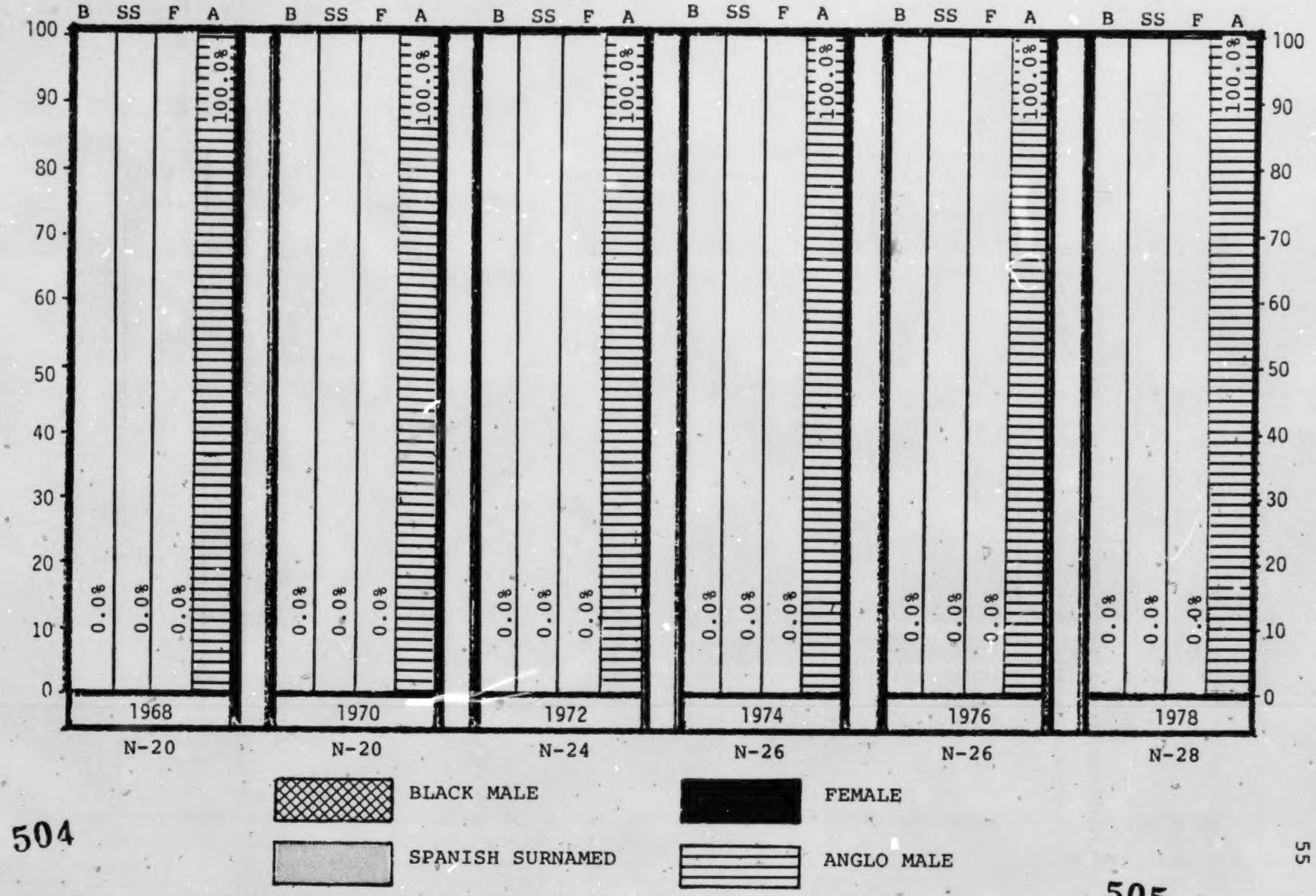
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-54
MINORITY AND FEMALE REPRESENTATION FOR COUNTY SHERIFF, WEST REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, CENTRAL REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

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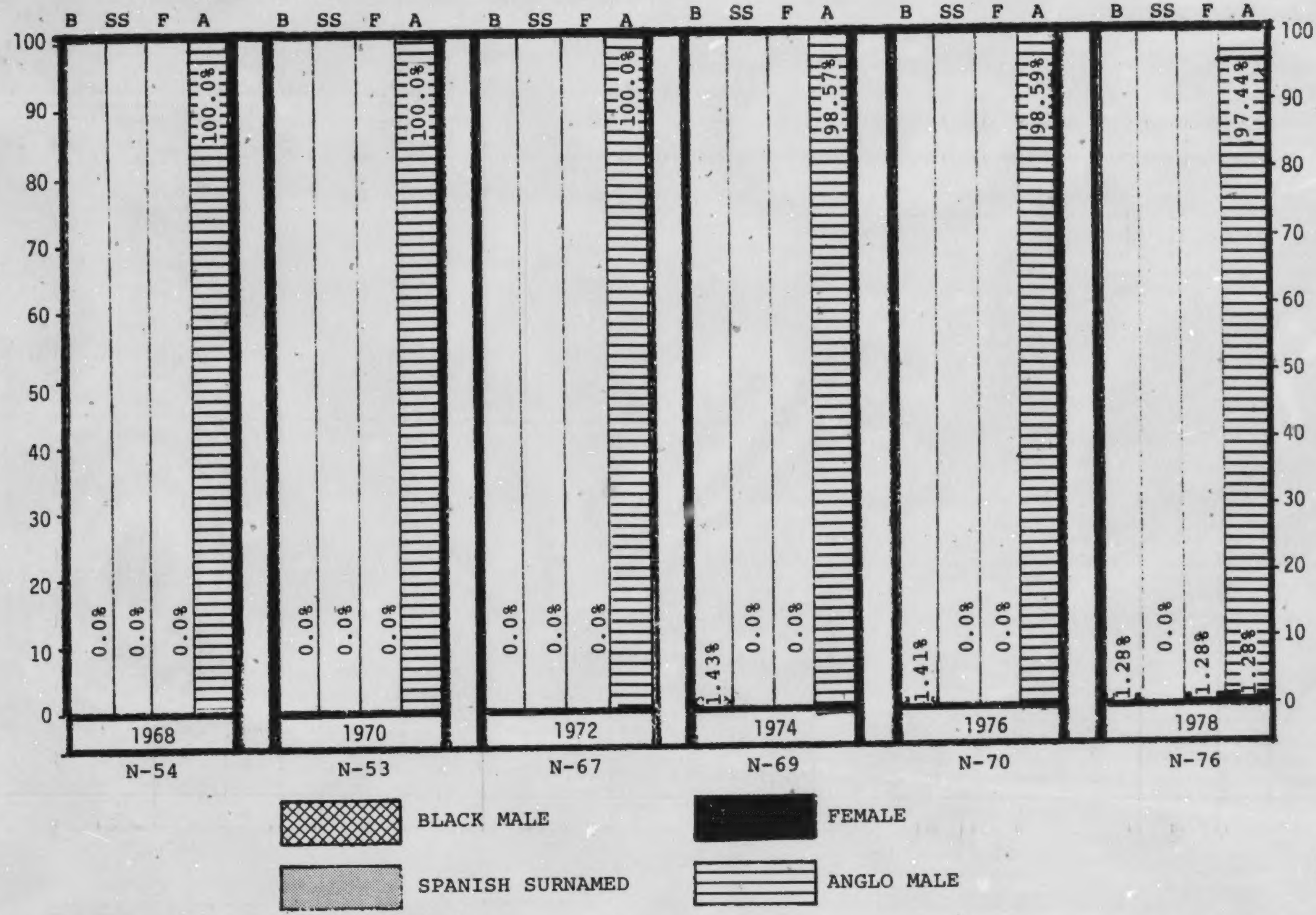
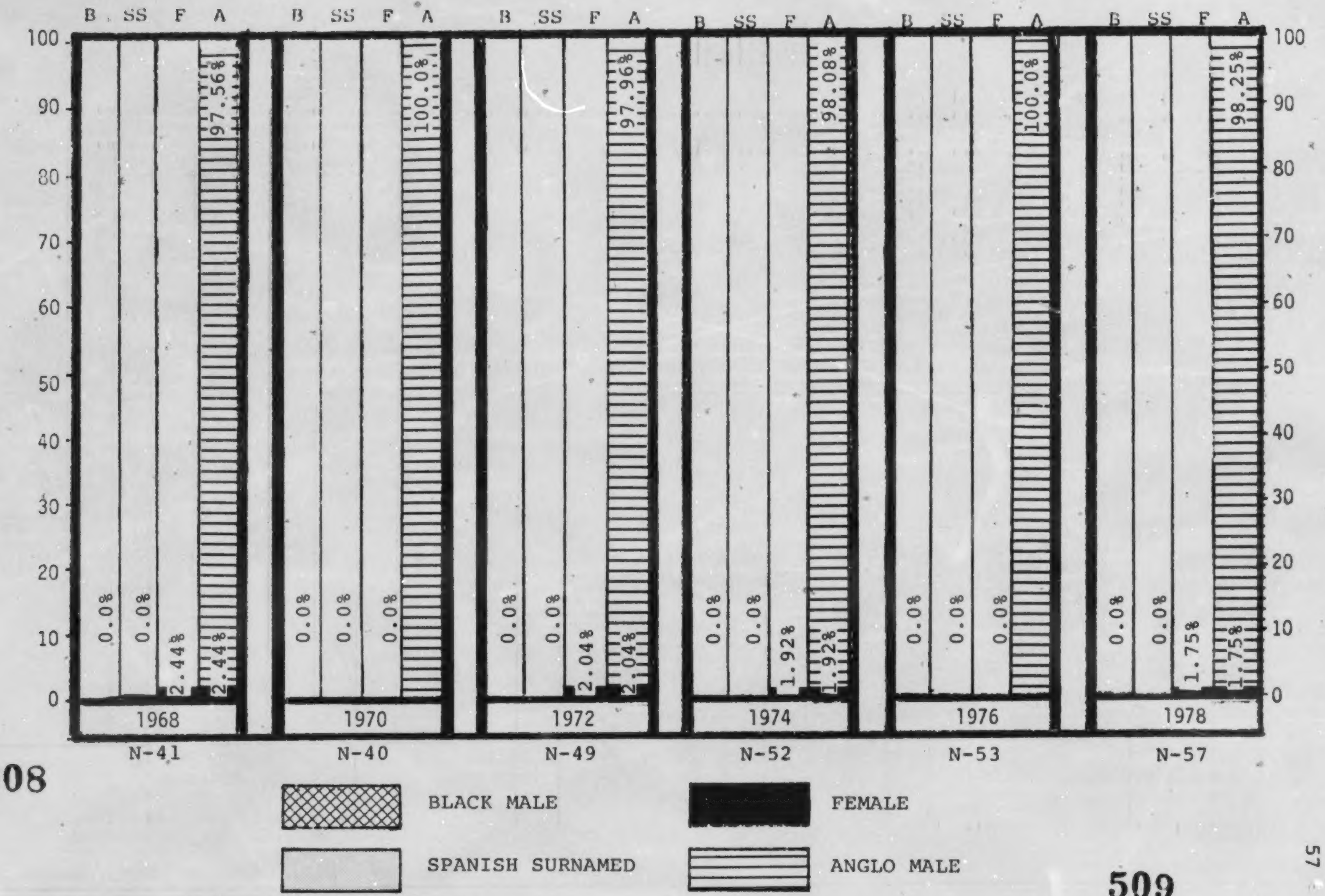
FIGURE B5-56
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, EAST REGION, 1968-78.



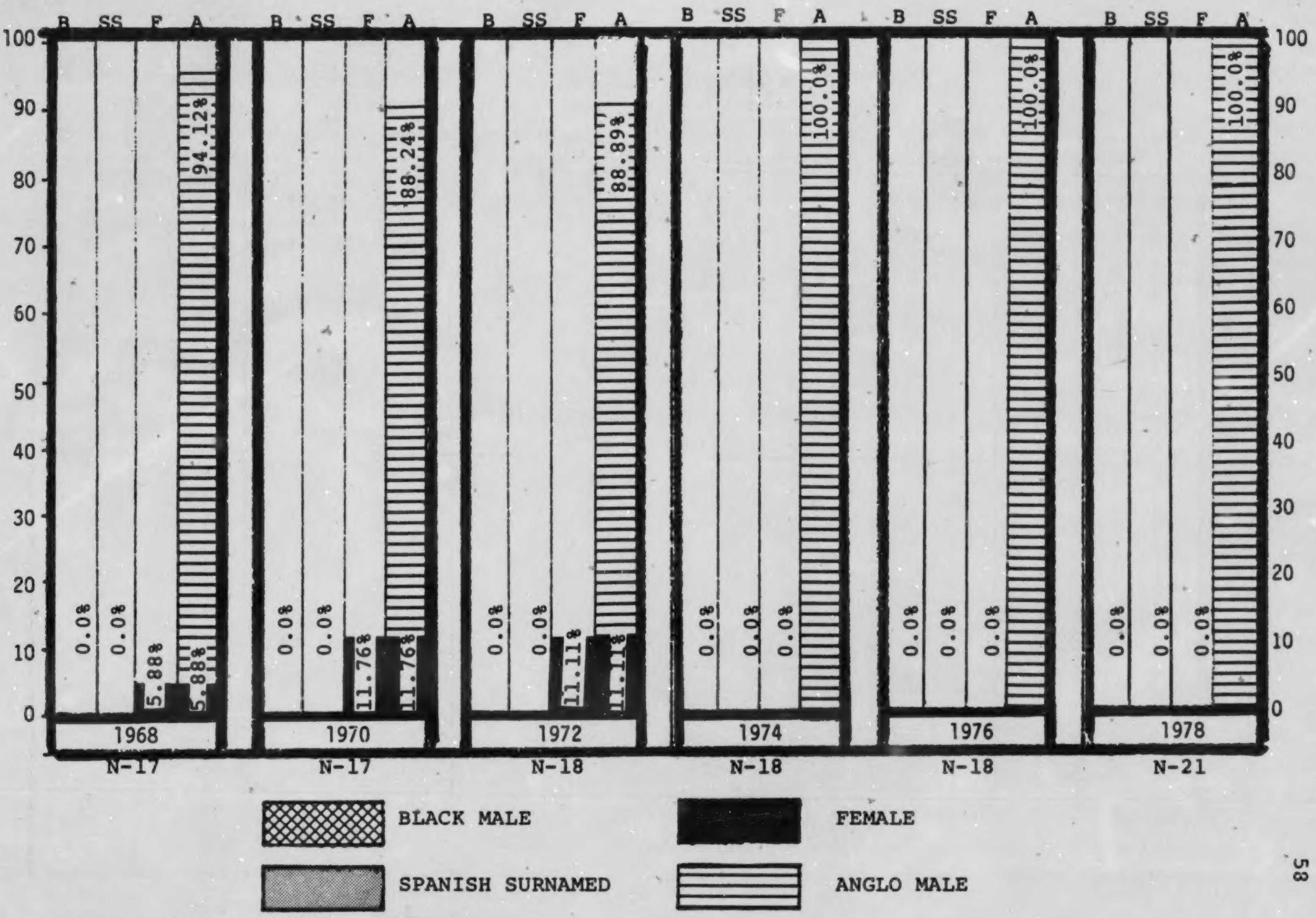
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-57
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, NORTH REGION, 1968-78.



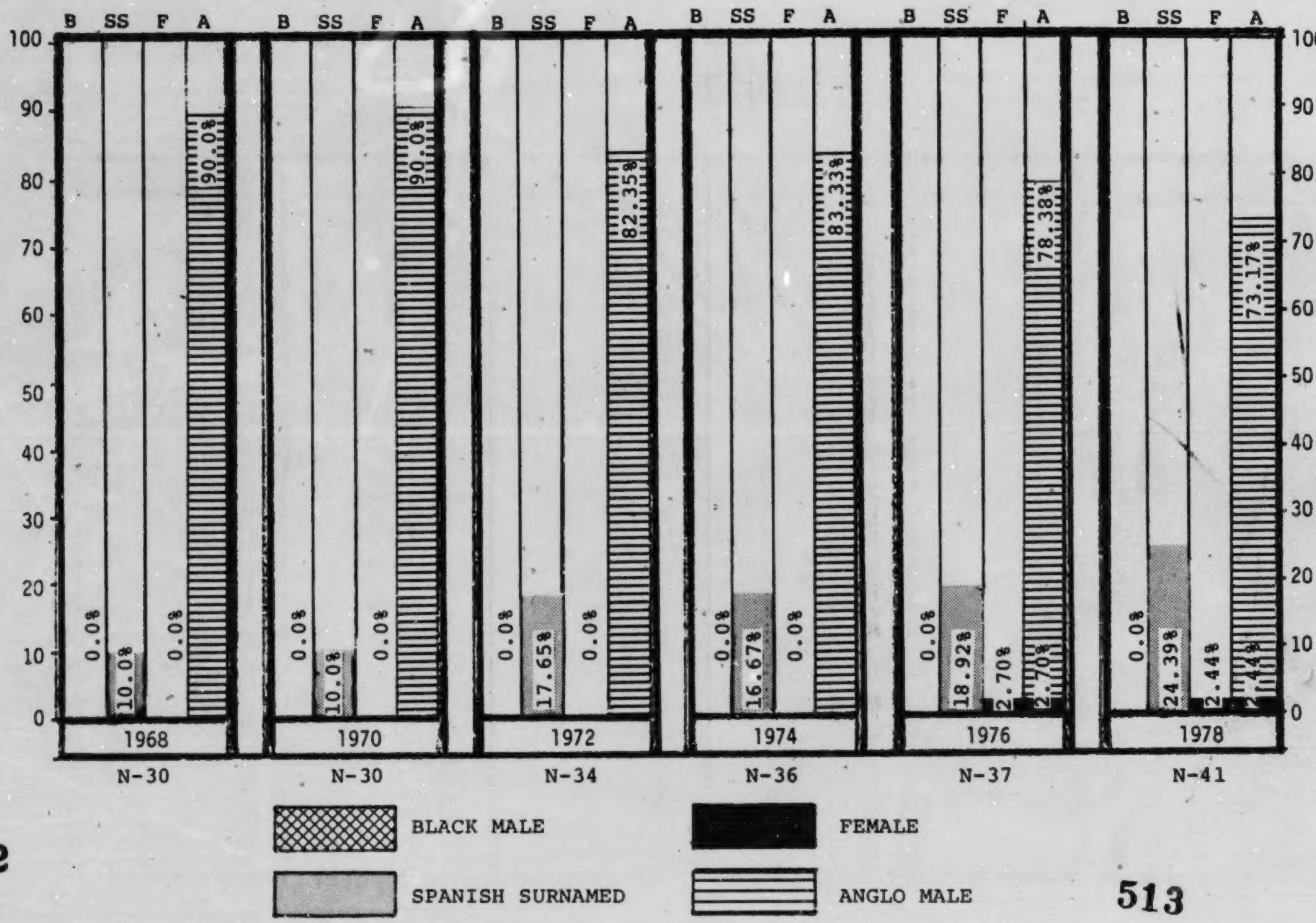
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-58
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, PANHANDLE REGION, 1968-78.



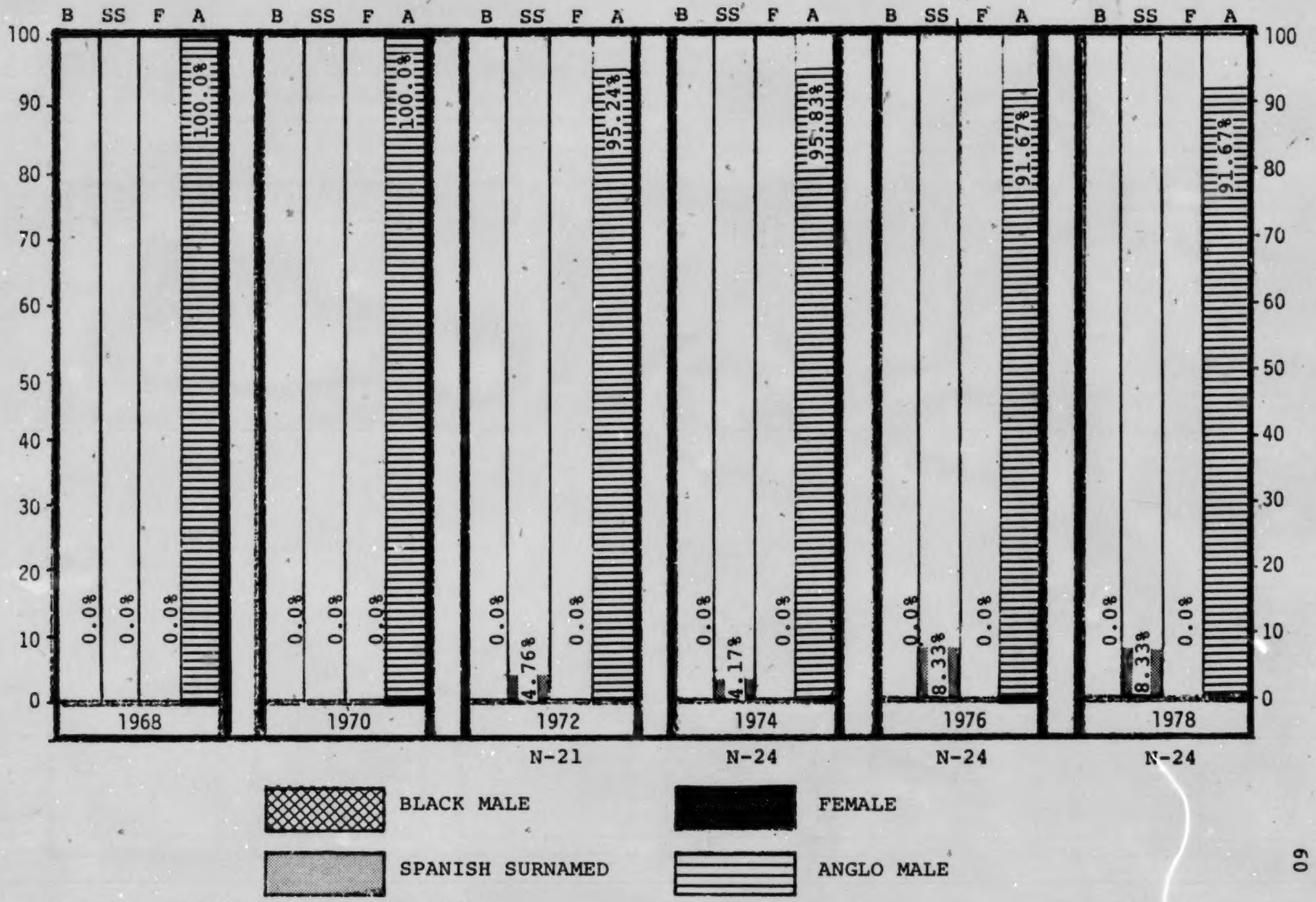
Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE B5-59
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, SOUTH REGION, 1968-78.



Source: Texas Almanac, 1968-78.
National Roster of Black Elected Officials, 1968-78.

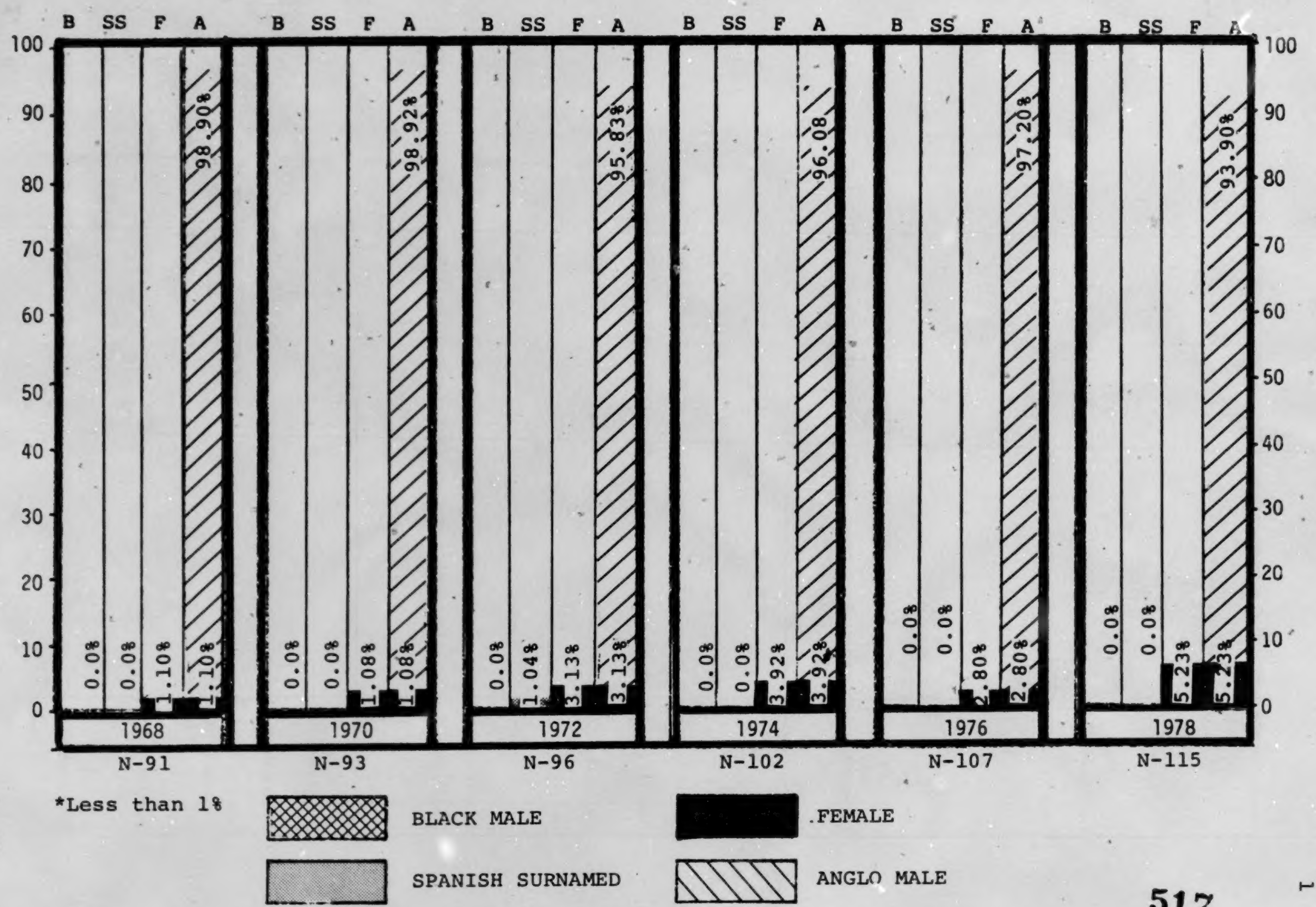
FIGURE B5-60
MINORITY AND FEMALE REPRESENTATION FOR DISTRICT JUDGE, WEST REGION, 1968-78.



Source: *Texas Almanac*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-1

MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, CENTRAL REGION, 1968-78.

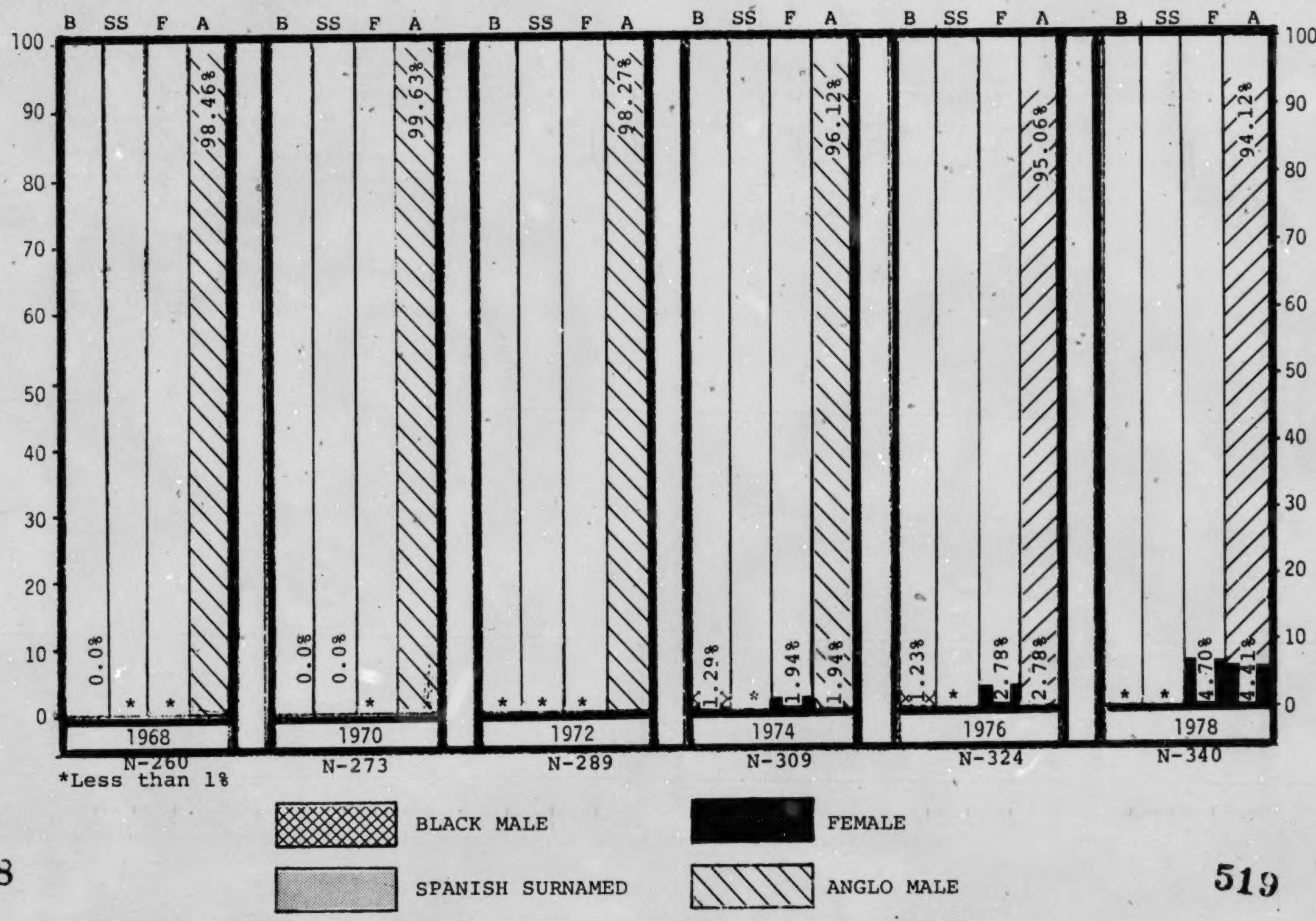


*Less than 1%

Source: Texas Municipal League's Directory of City Officials, 1968-78. National Roster of Black Elected Officials, 1968-78.

FIGURE C6-2

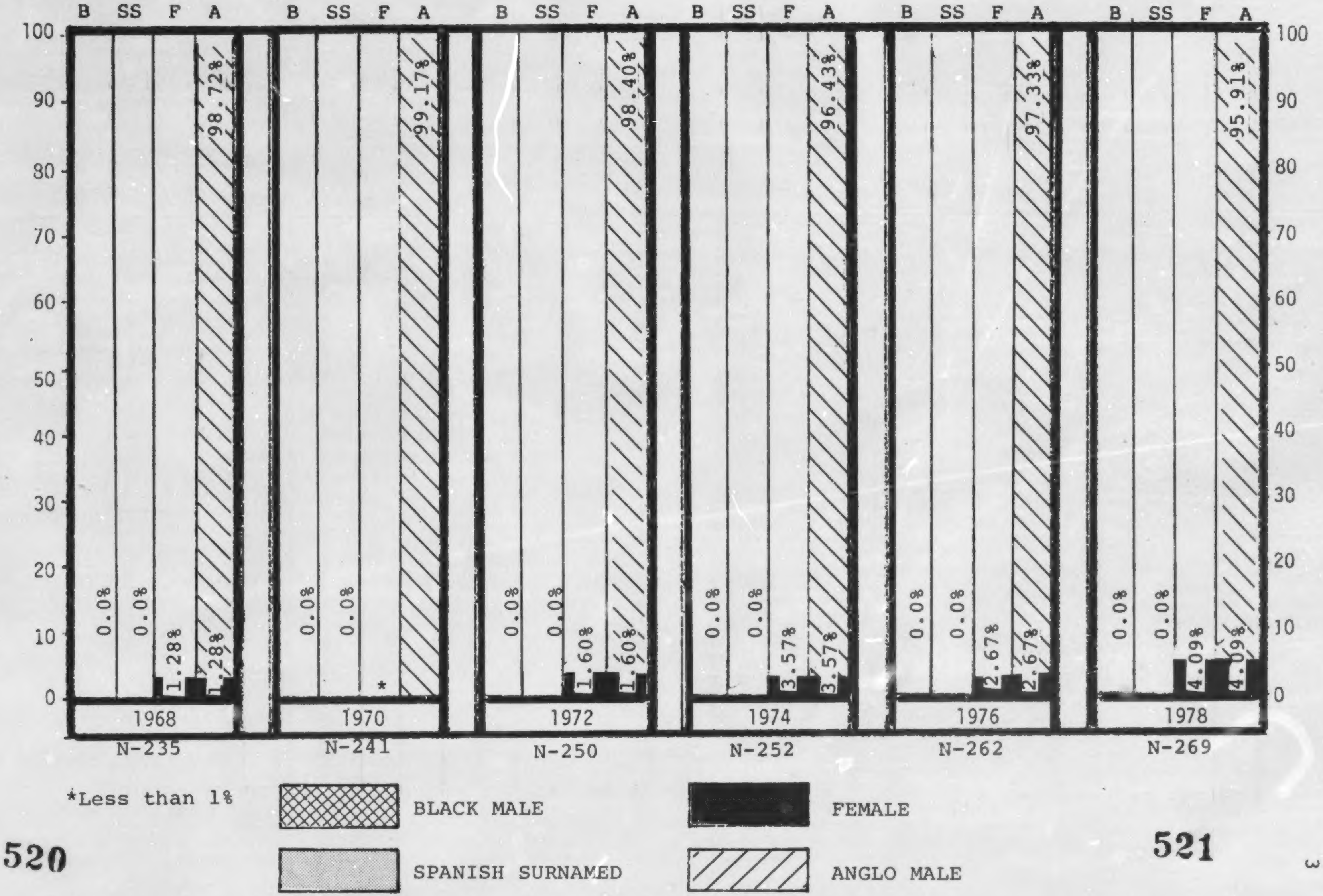
MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, EAST REGION, 1968-78.



*Less than 1%

Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

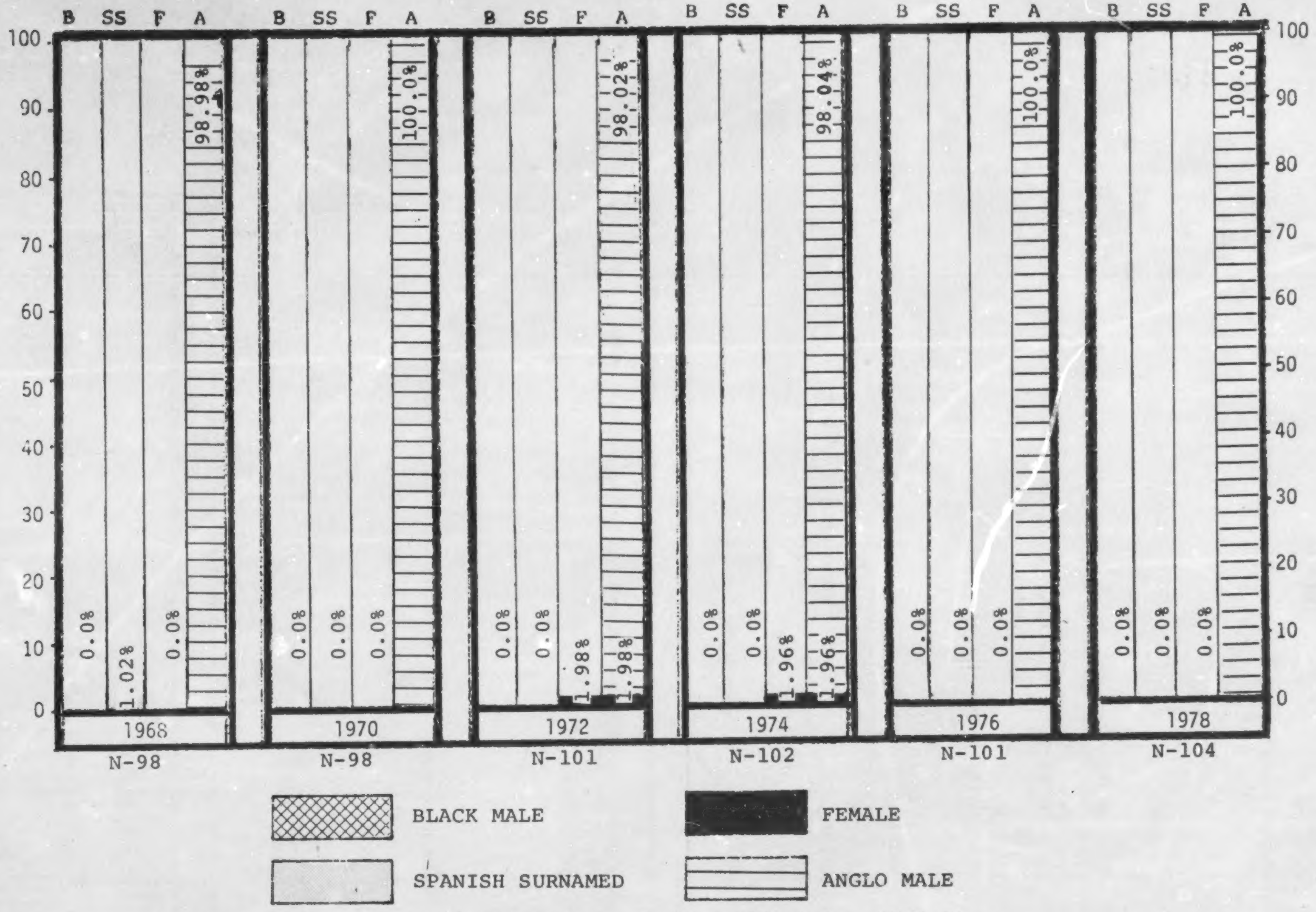
FIGURE C6-3
MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, NORTH REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

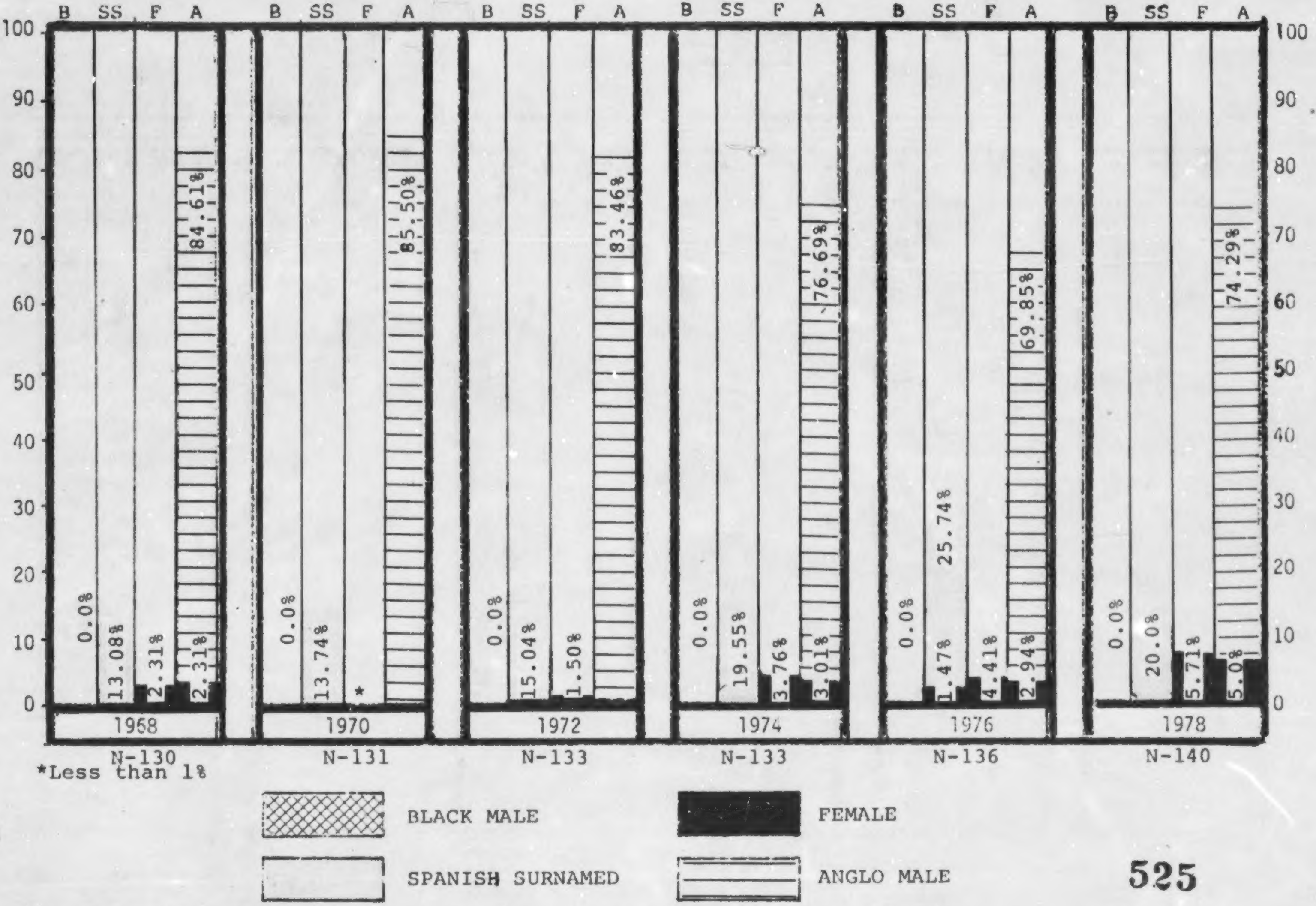
FIGURE C6-4

MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, PANHANDLE REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-5
MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, SOUTH REGION, 1968-78.

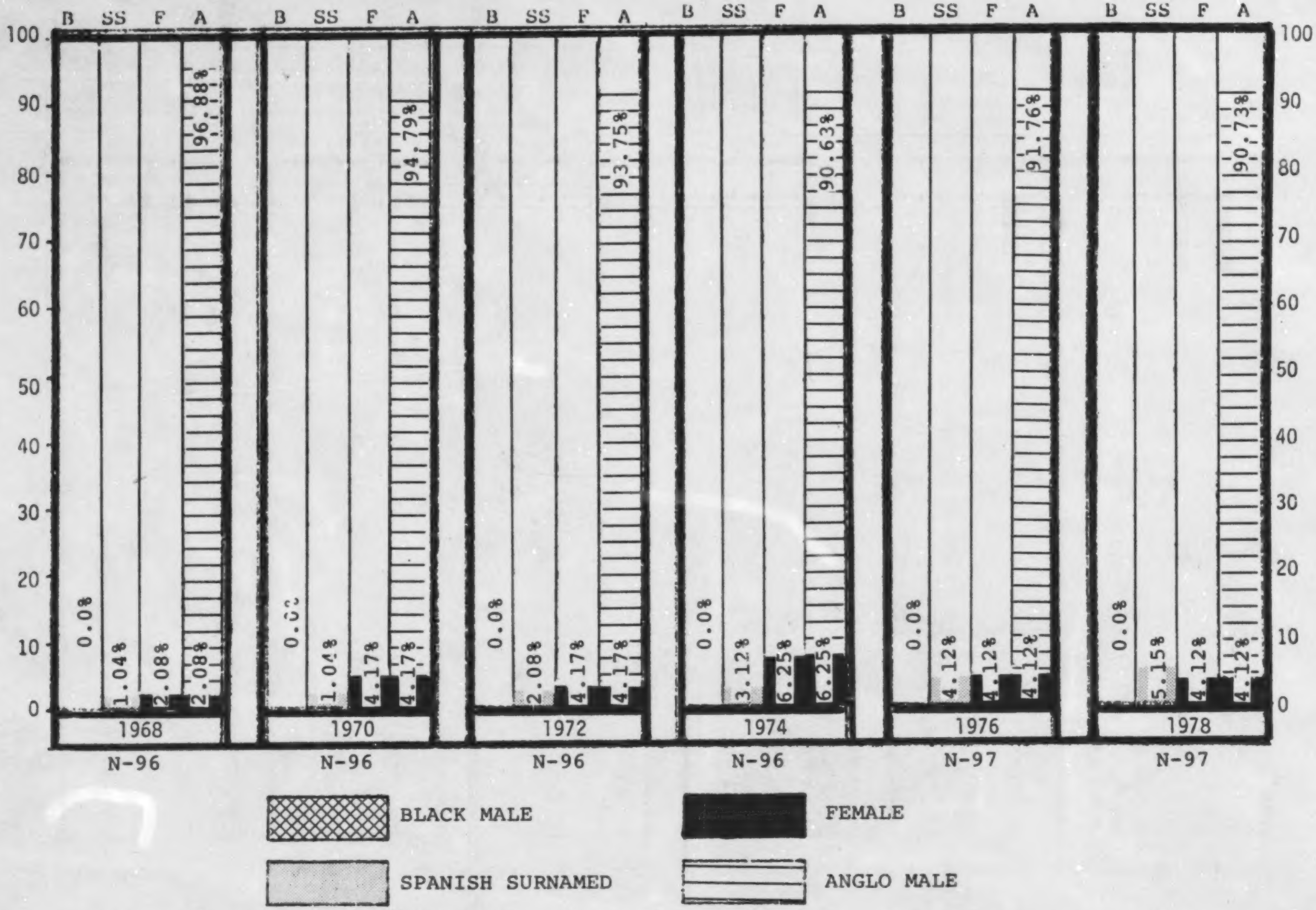


*Less than 1%

Source: Texas Municipal League's *Directory of City Officials*, 1968-78.
National Roster of Black Elected Officials, 1968-78.

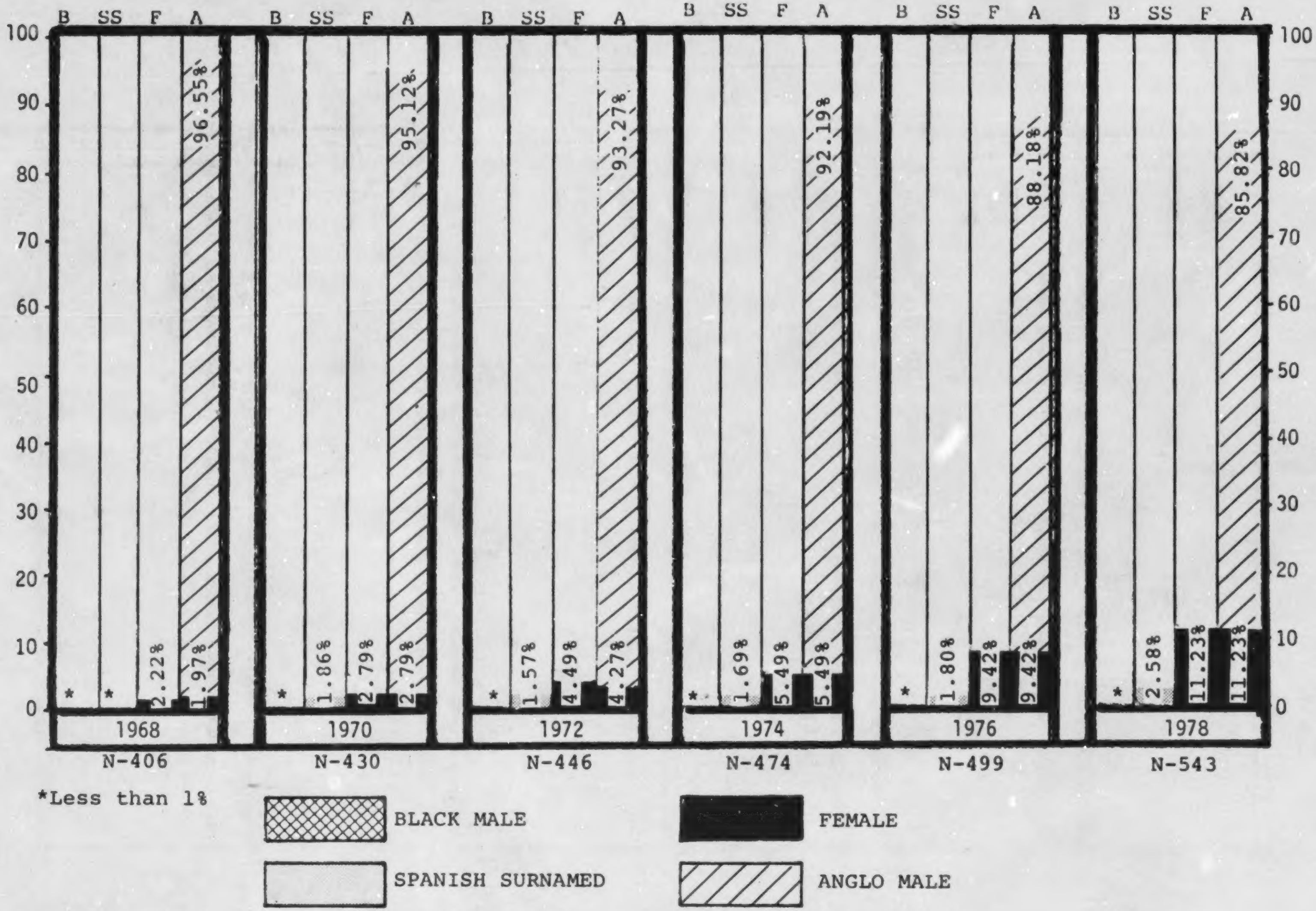
FIGURE C6-6

MINORITY AND FEMALE REPRESENTATION FOR THE OFFICE OF CITY MAYOR, WEST REGION, 1968-78.



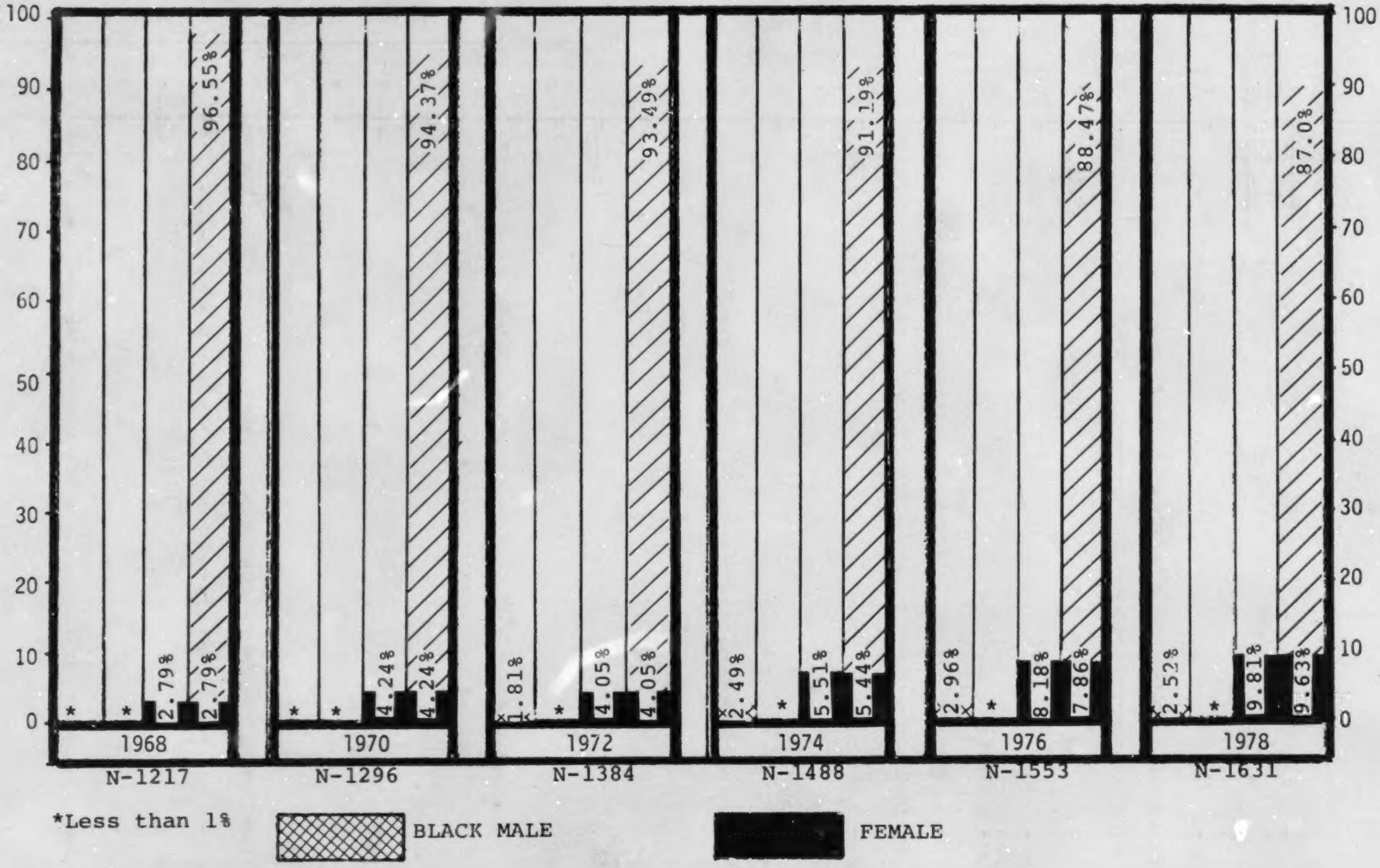
Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-7
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, CENTRAL REGION, 1968-78.



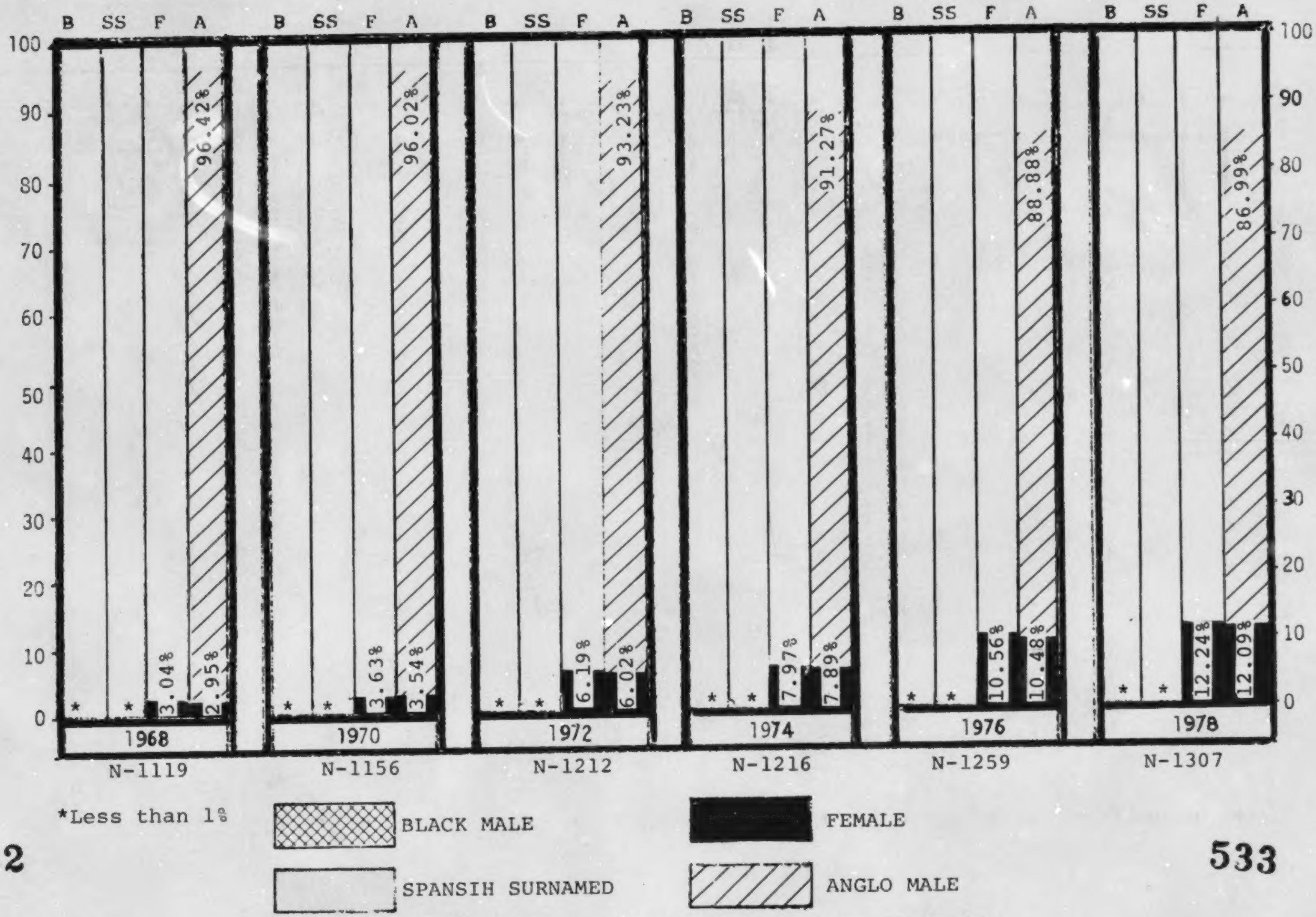
Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-8
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, EAST REGION, 1968-78.



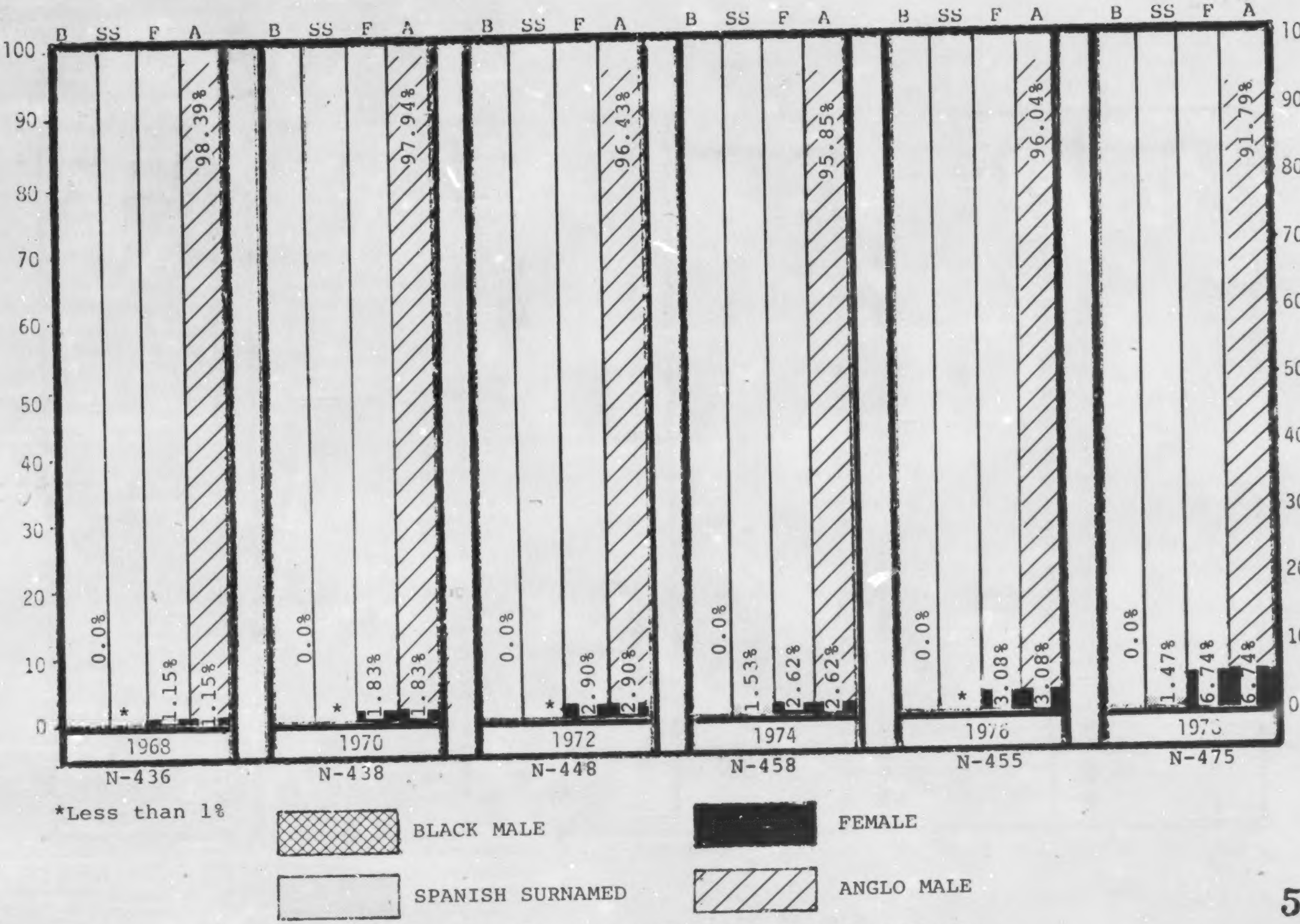
Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-9
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, NORTH REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

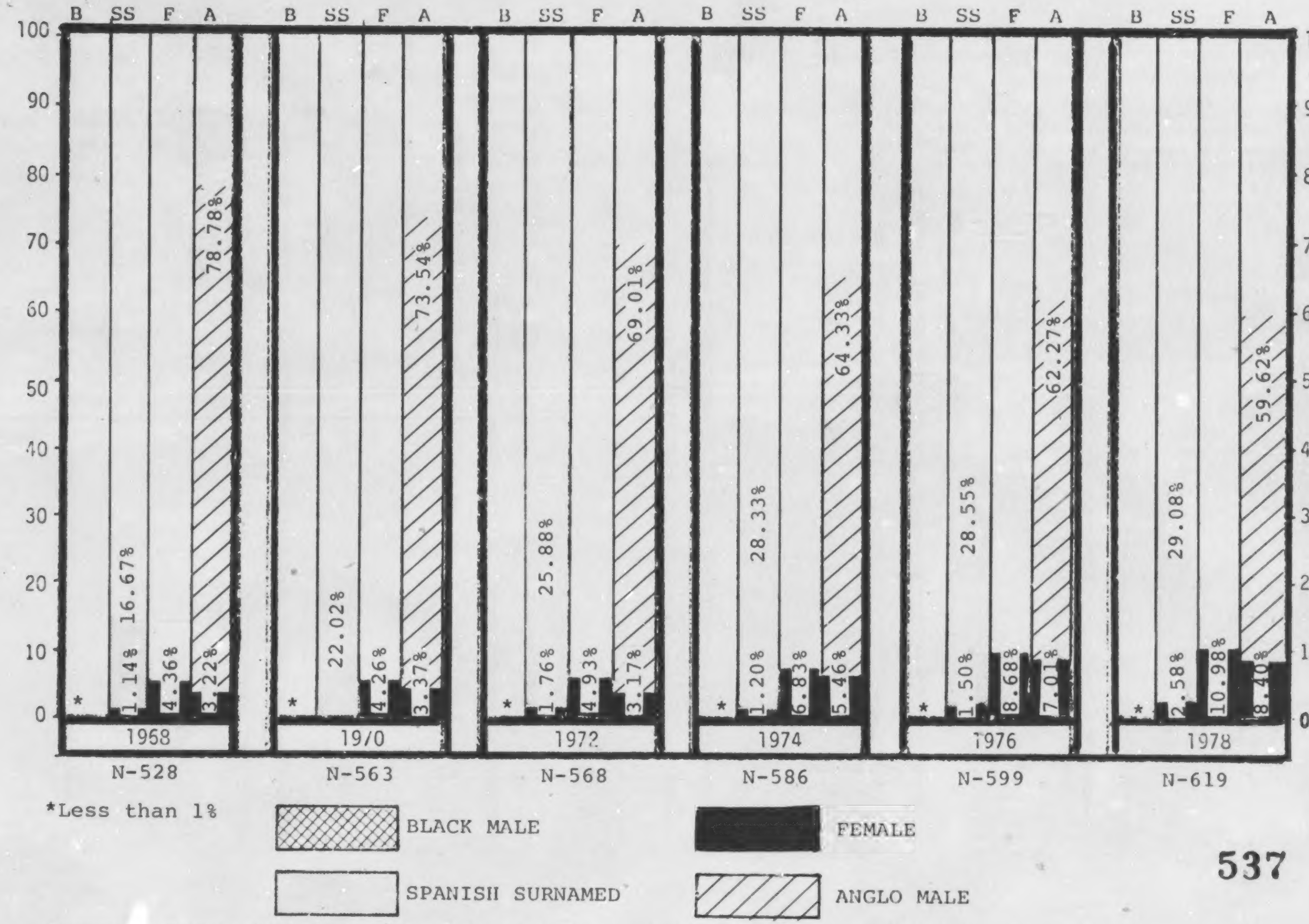
FIGURE C6-10
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, PANHANDLE REGION, 1968-78.



*Less than 1%

Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

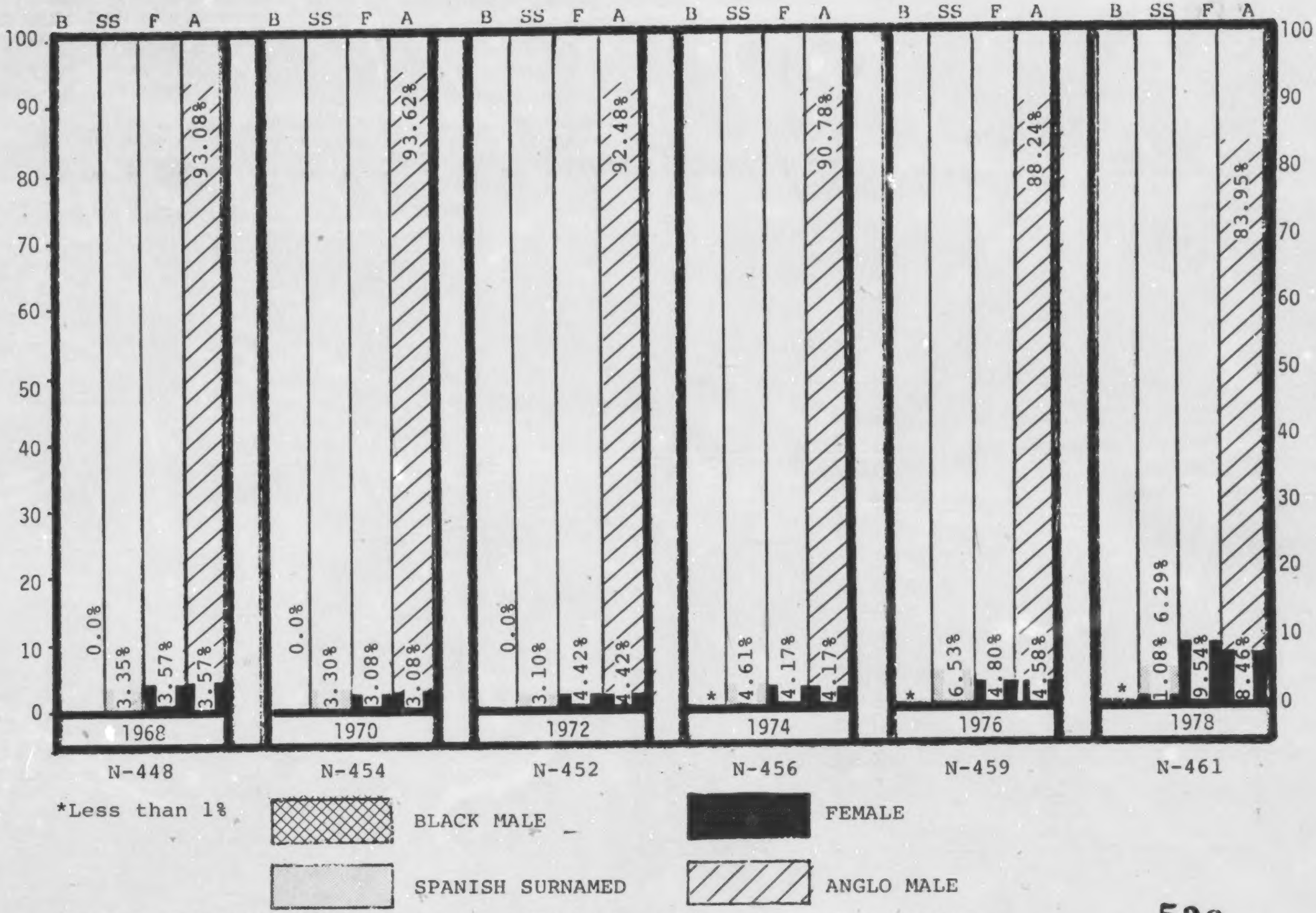
FIGURE C6-11
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, SOUTH REGION, 1968-78.



*Less than 1%

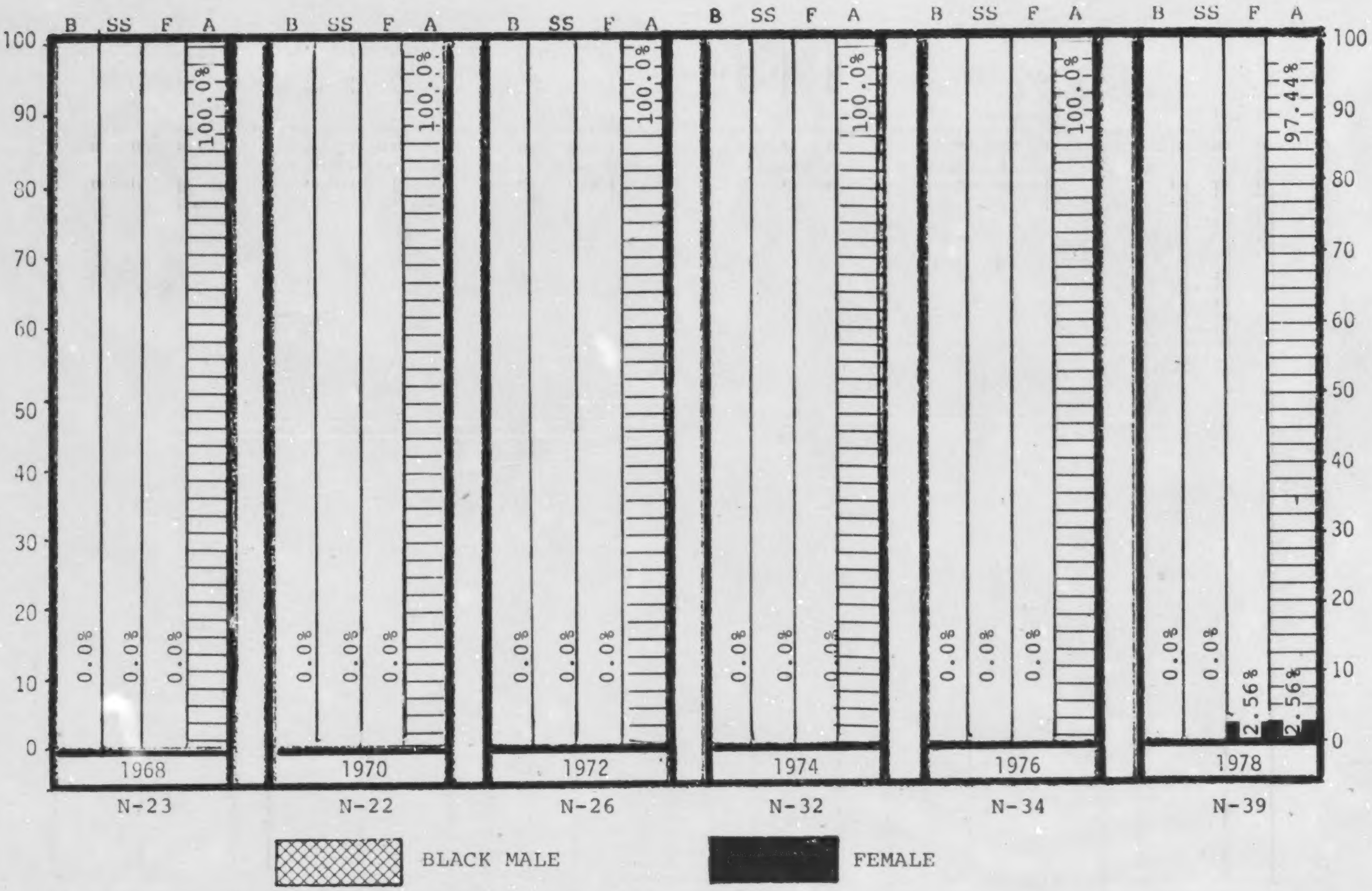
Source: Texas Municipal League's Directory of Official Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-12
MINORITY AND FEMALE REPRESENTATION FOR CITY COUNCIL, WEST REGION, 1968-78.



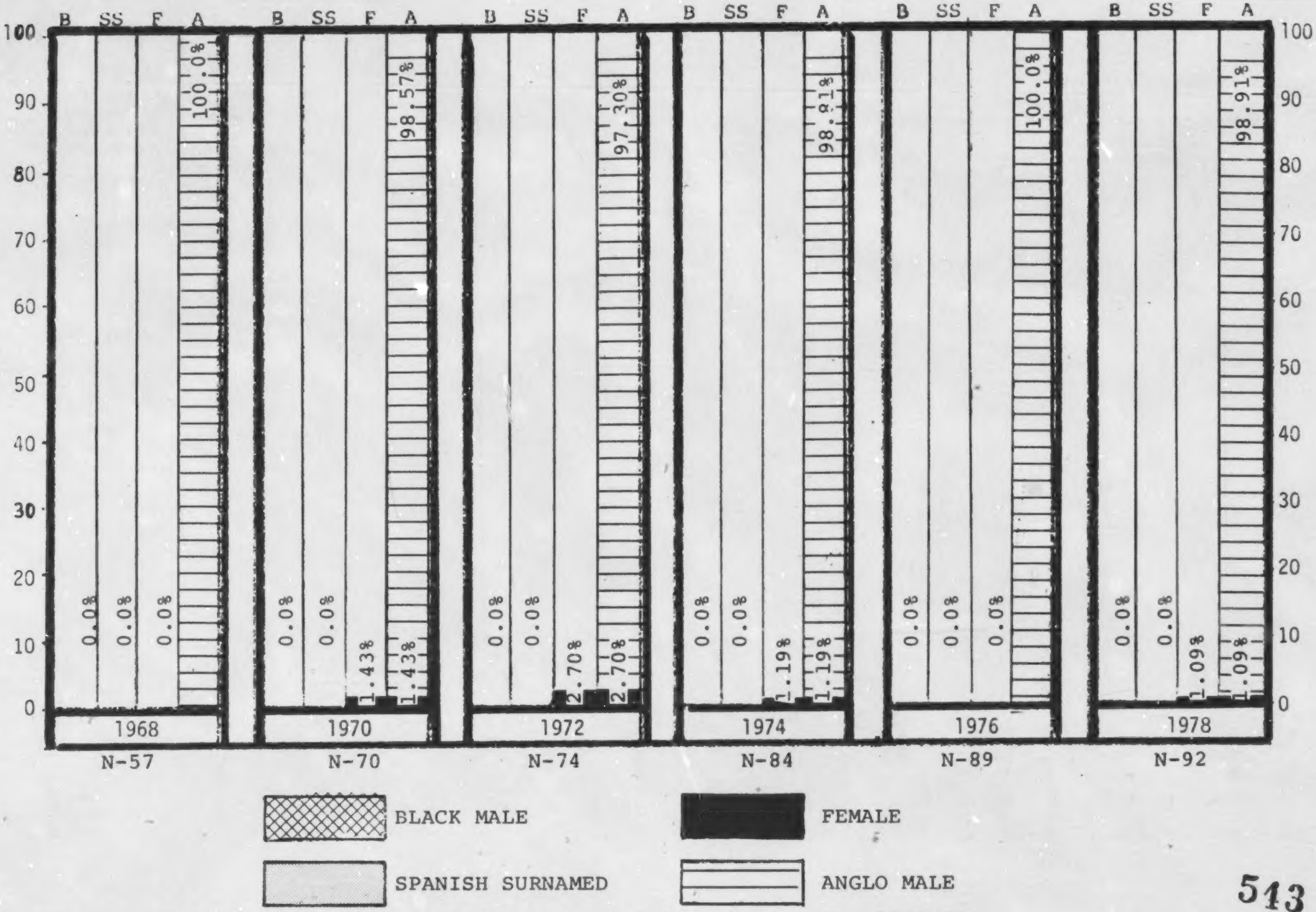
Source: Texas Municipal League's Directory of City Officials, 1968-78.
National Roster of Black Elected Officials, 1968-78.

FIGURE C6-13
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, CENTRAL REGION, 1968-78.



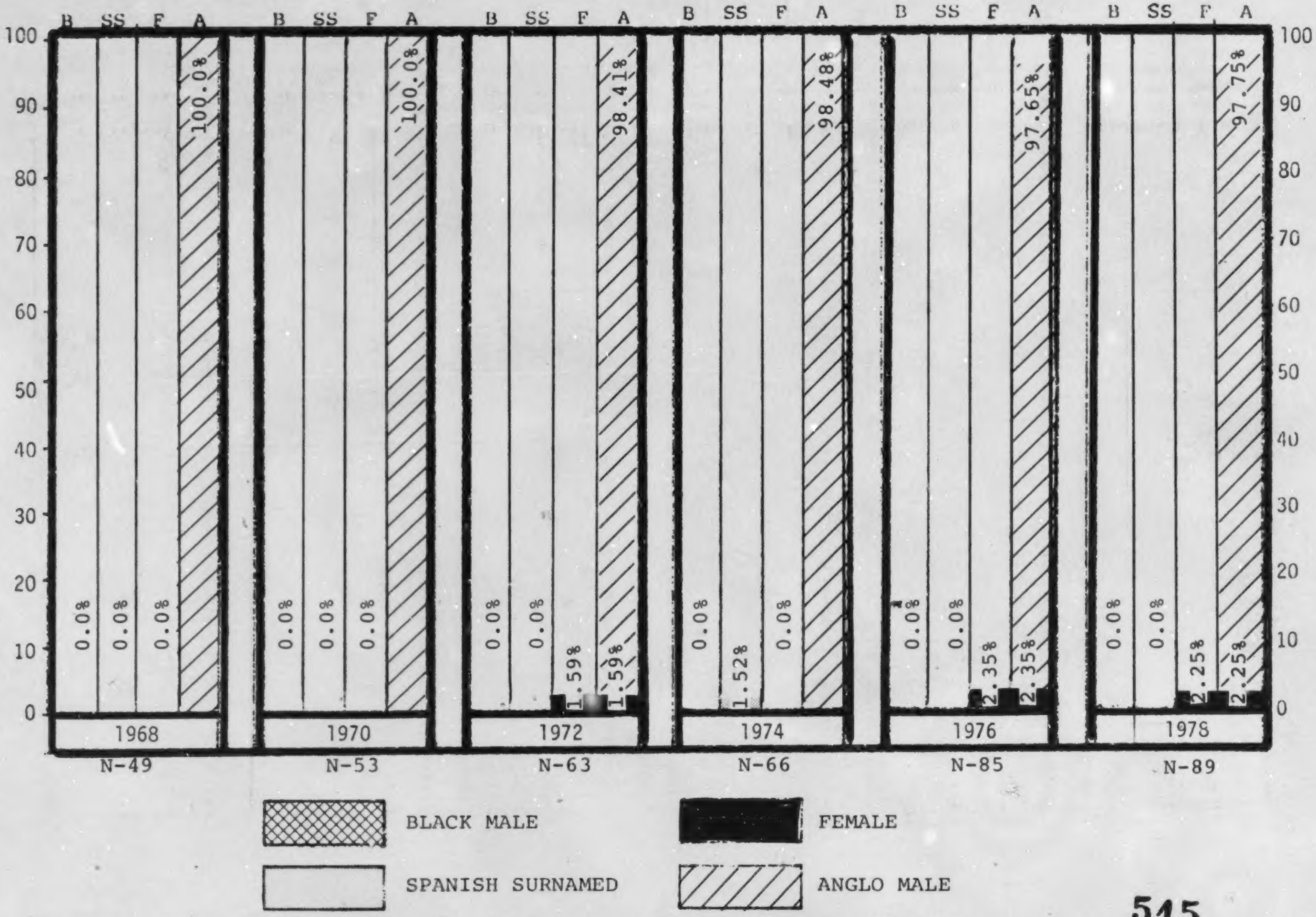
Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE C6-14
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, EAST REGION, 1968-78.



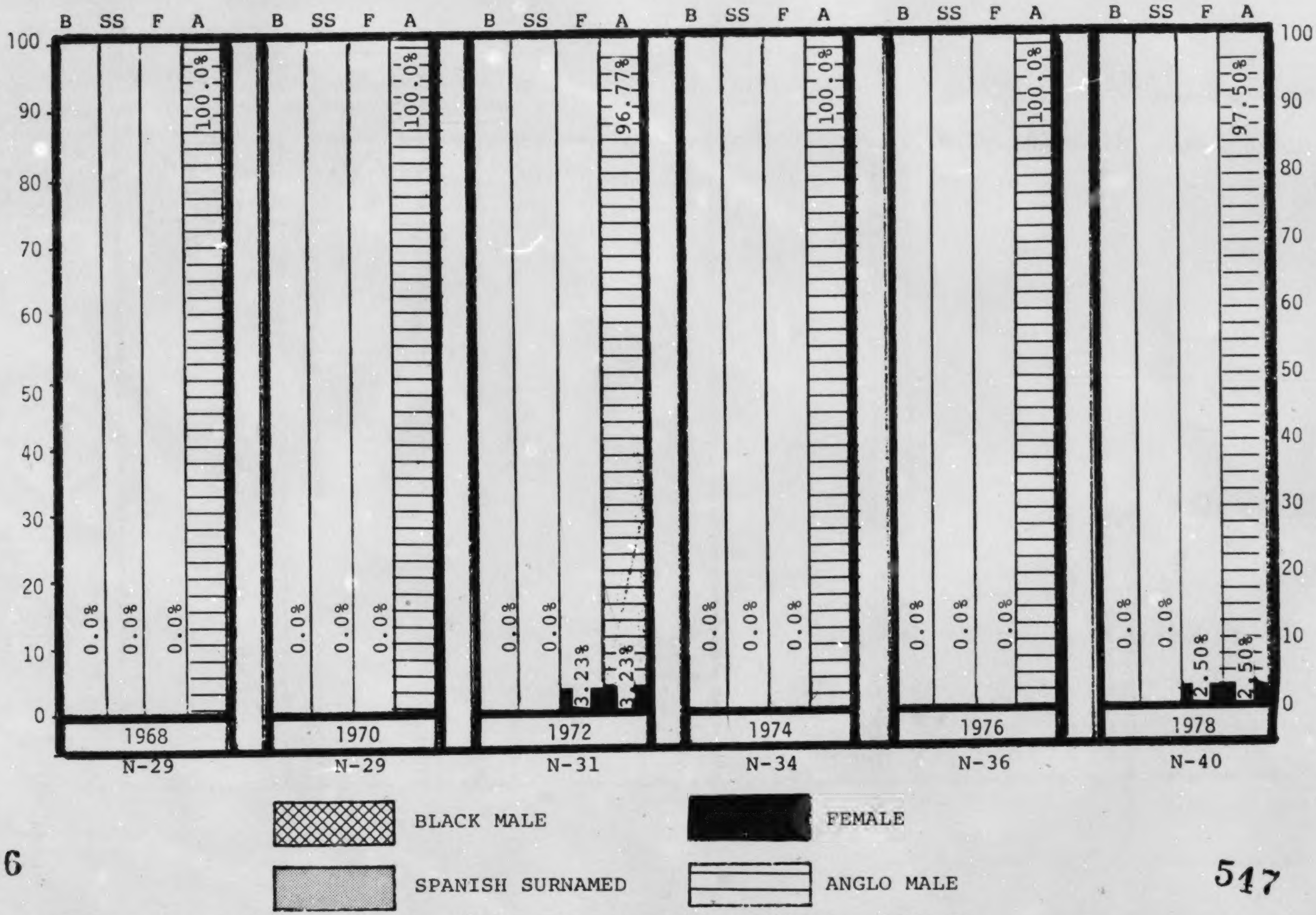
Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE C6-15
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, NORTH REGION, 1968-78.



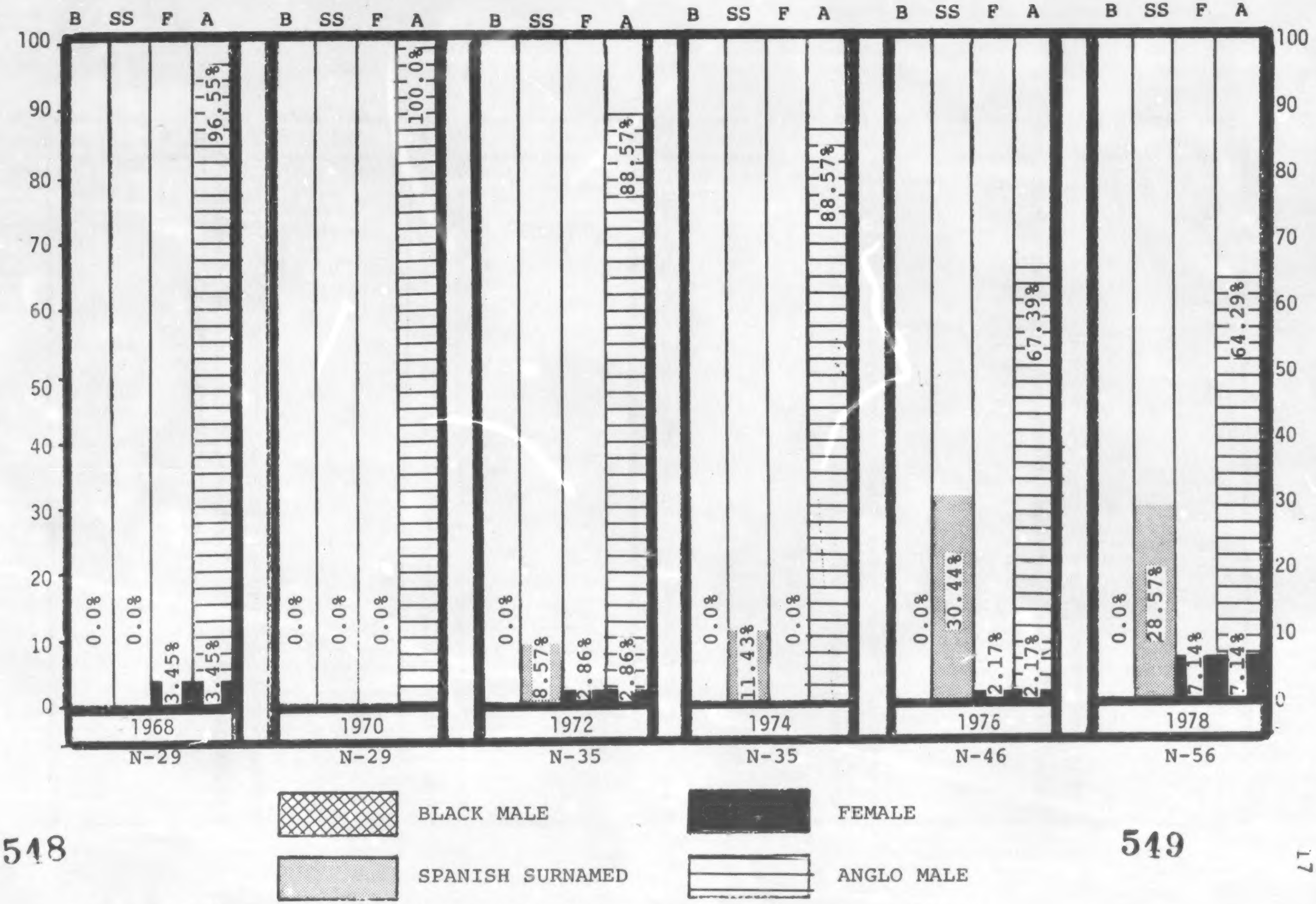
Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE C6-16
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, PANHANDLE REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.

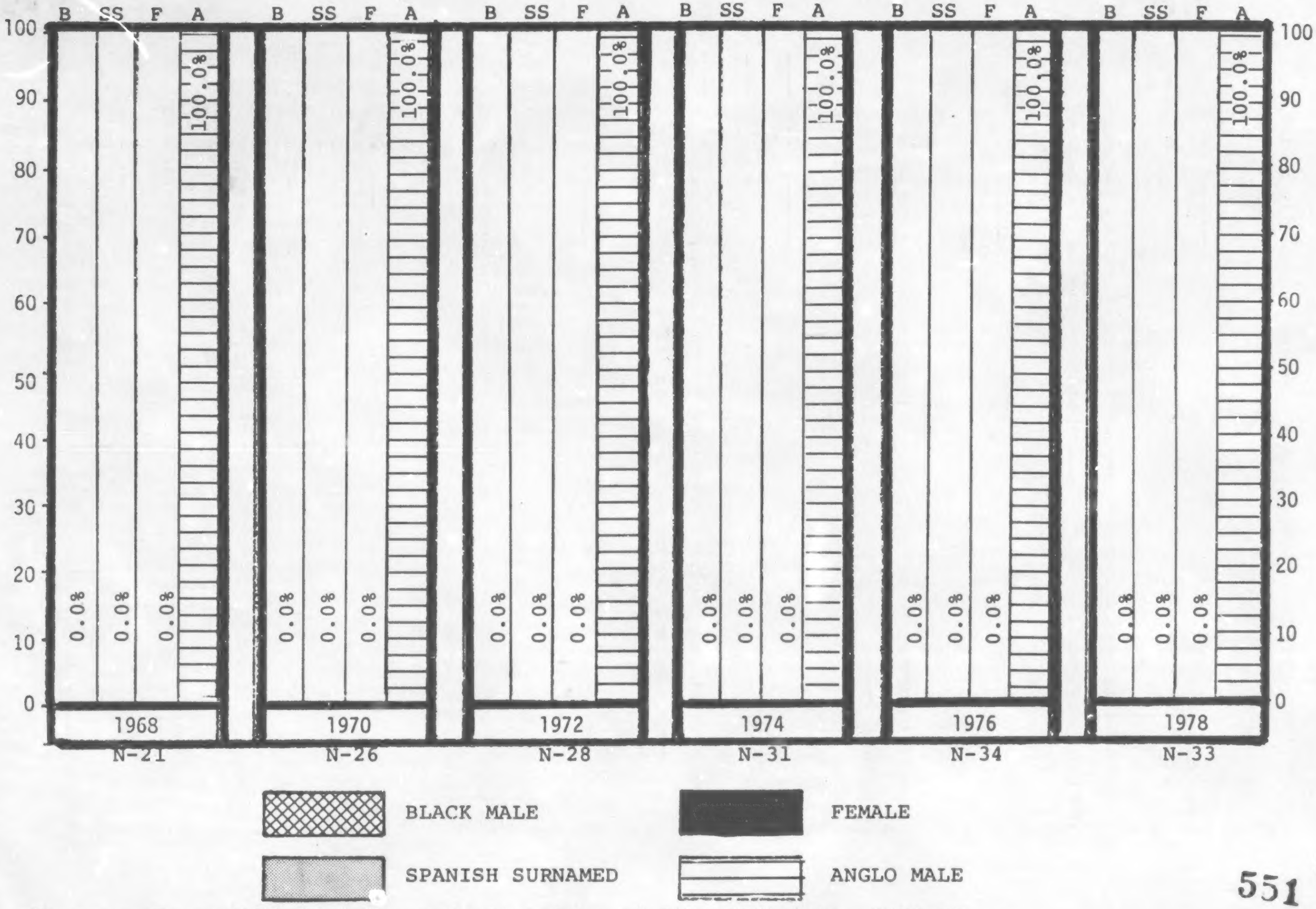
FIGURE C6-17
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, SOUTH REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE C6-18

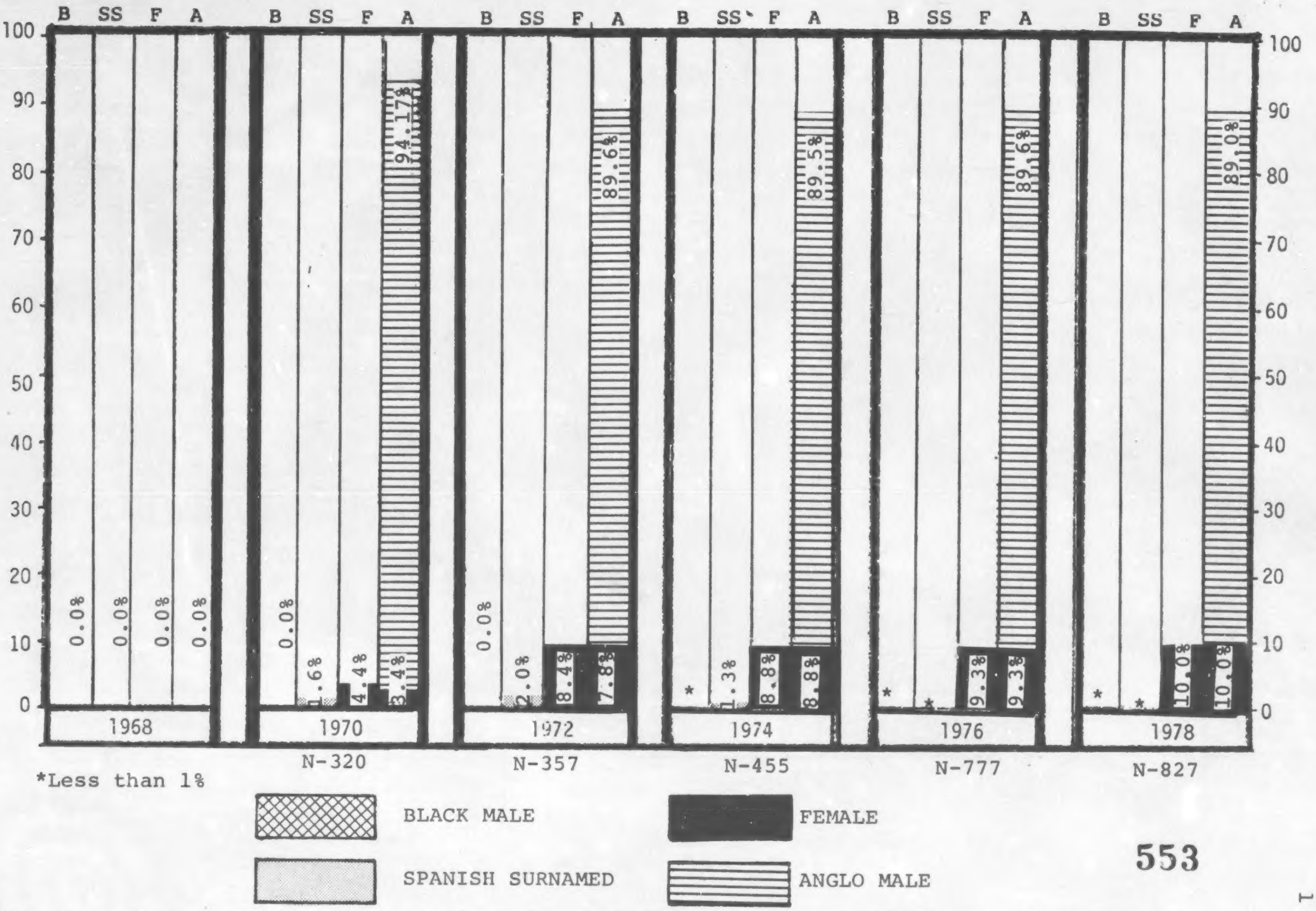
MINORITY AND FEMALE REPRESENTATION FOR CITY ADMINISTRATOR, WEST REGION, 1968-78.



Source: Texas Municipal League's Directory of City Officials, 1968-78.

FIGURE D7-2

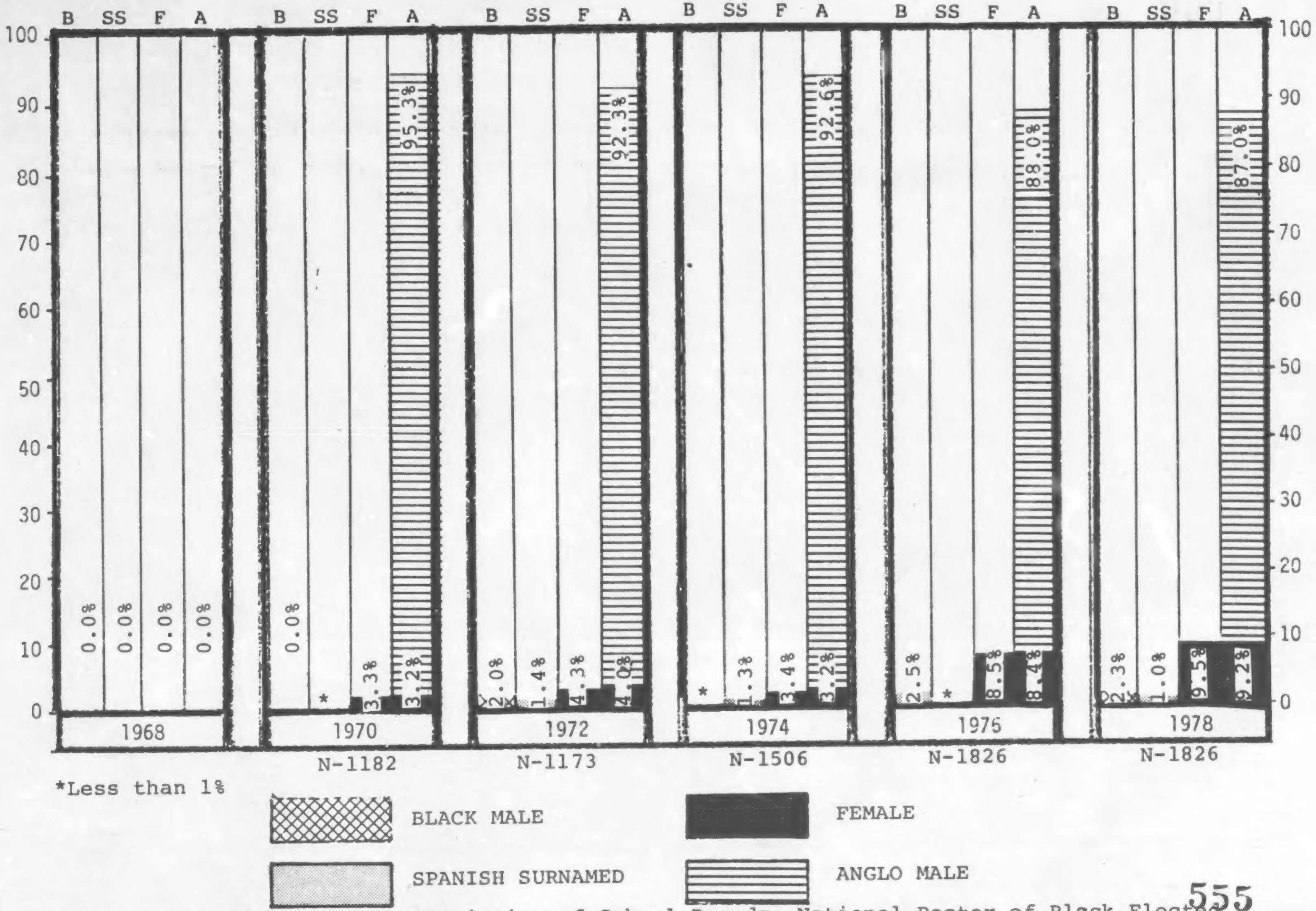
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, CENTRAL REGION, 1970-78.



*Less than 1%

Source: Records of Texas Association of School Boards; National Roster of Black Elected Officials, Volumes, 1-7.

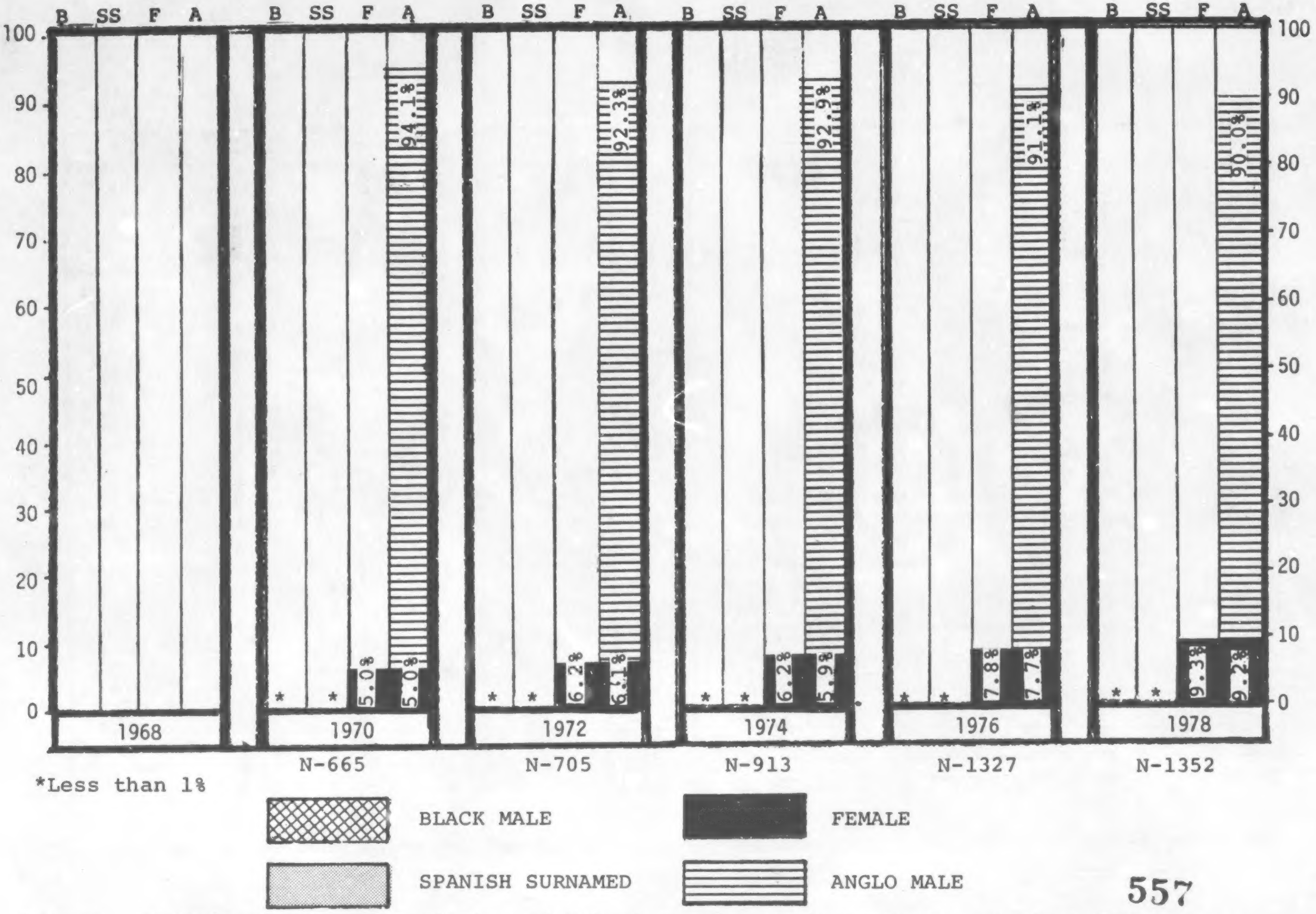
FIGURE D7-3
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, EAST REGION, 1970-78.



Source: Records of Texas Association of School Boards; National Roster of Black Elected Officials, Volumes, 1-7.

FIGURE D7-4

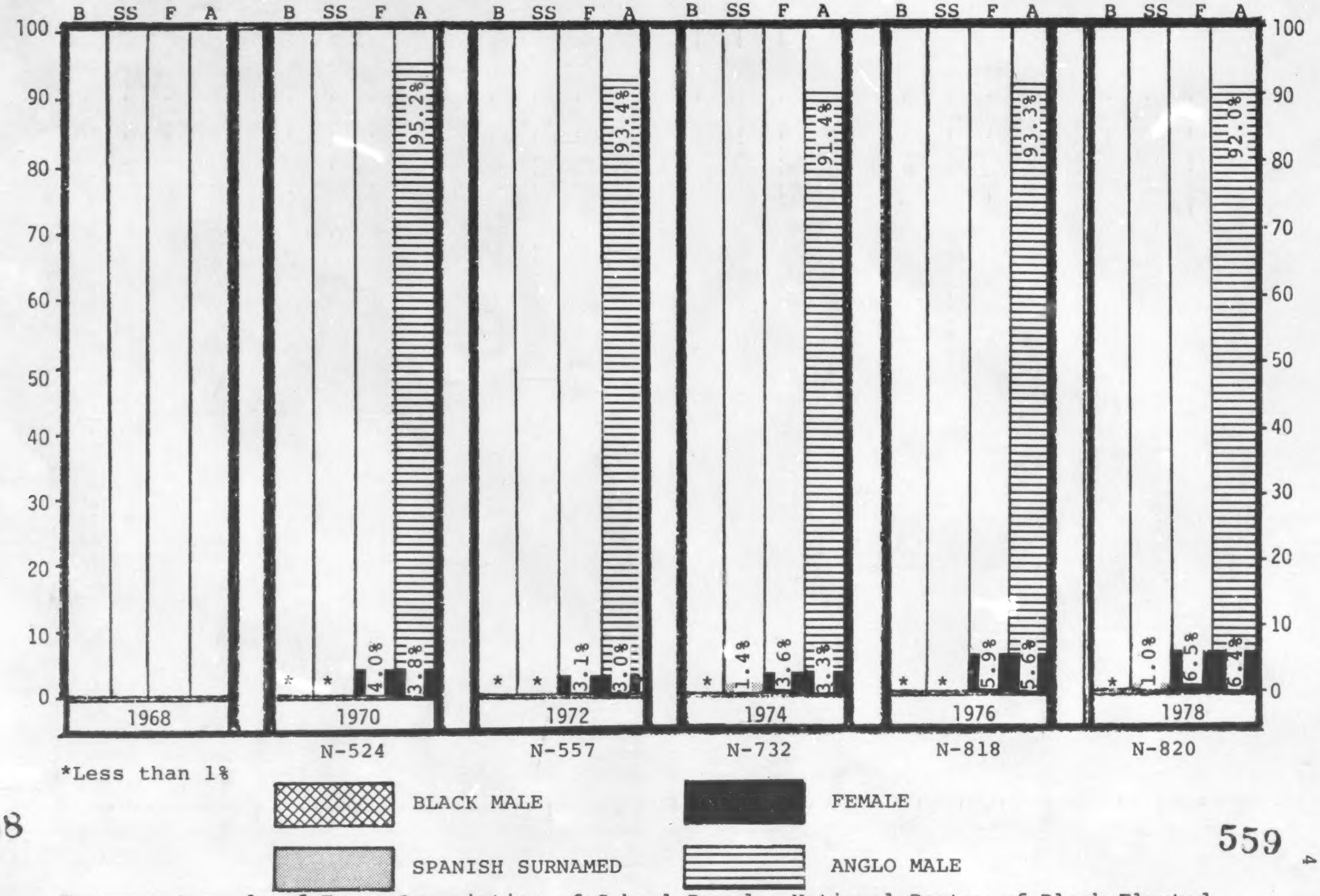
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, NORTH REGION, 1970-78.



*Less than 1%

Source: Records of Texas Association of School Boards; National Roster of Black Elected Officials, Volumes 1-7.

FIGURE D7-5
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, PANHANDLE REGION, 1970-78.

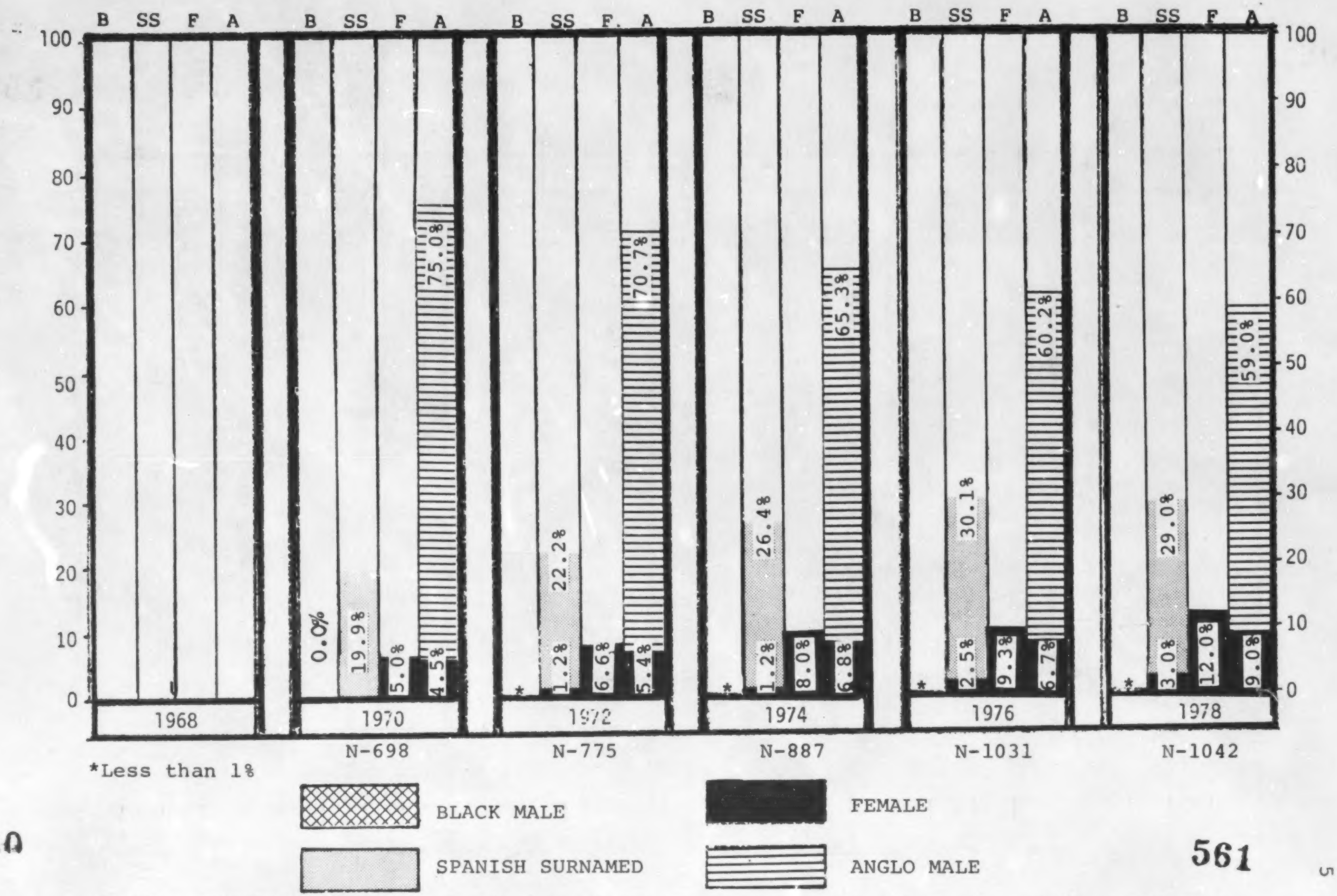


*Less than 1%

Source: Records of Texas Association of School Boards; National Roster of Black Elected Officials, Volumes 1-7.

FIGURE D7-6

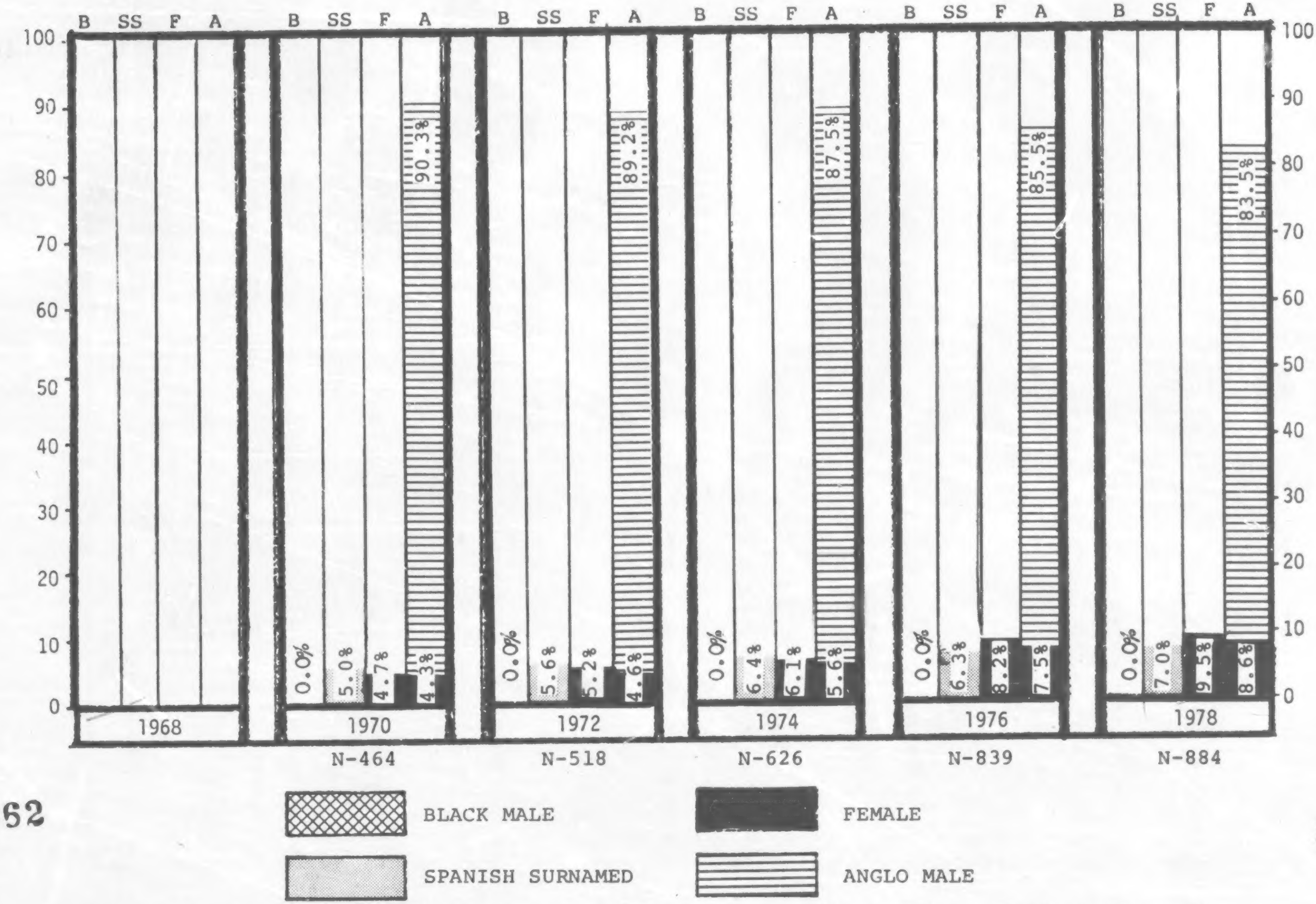
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, SOUTH REGION, 1970-78.



*Less than 1%

Source: Records of Texas Association of School Boards; National Roster of Black Elected Officials, Volumes 1-7.

FIGURE D7-7
MINORITY AND FEMALE REPRESENTATION ON LOCAL SCHOOL BOARDS, WEST REGION, 1970-78.



Source: Records of Texas Association of School Boards, National Roster of Black Elected Officials, Volumes 1-7.

APPENDIX E

Appendix B
Summary of Results of November, 1976 Bilingual Survey

The Survey and Site Selection

This survey was conducted in order to gain a preliminary understanding of the use and efficacy of bilingual election materials in three Texas counties. Prior to 1975, the State of Texas was not required to use bilingual election materials. A frequent and common complaint of state and local officials after the implementation of the Voting Rights Act of 1975 was that bilingual election materials are not used by the voters; therefore, many local and state officials conclude that bilingual elections are unnecessary, costly and an administrative burden. This survey was conducted for the purpose of gaining some information about the question of the need for bilingual materials.

Three Texas counties were chosen--Bexar County (830,460, 45.27% Spanish surnamed), Webb County (72,859, 85.6% Spanish surnamed) and Zavala County (11,370, 81.5% Spanish surnamed). These counties were selected because they represent a distinct range in population size, urban-rural composition, and three variations in party identification (Bexar and Webb Counties are solidly Democratic in partisan identification, with Webb County representing an exclusively one party area, while Zavala County can be characterized as an area which basically supports the La Raza Unida Party).

The sample size in this study was 300 voters (the interviews were taken from voters as they left the polls). The distribution among the counties in the sample is: Bexar County--155, Webb County--85 and Zavala County--60. Twenty precincts were sampled in Bexar County: These precincts were randomly selected from two quadrants, the Southwest quadrant, which is primarily population by Mexican Americans and the Northeast quadrant, which is primarily populated by Anglos. Fifteen of the randomly selected precincts were in the Southwest quadrant, while five of the randomly selected precincts were in the Northeast quadrant. All of the precincts in Zavala County, and its county seat, Crystal City, were sampled and, fifteen randomly selected precincts in Webb County and its county seat Laredo, were sampled. Both Spanish speaking and non-Spanish speaking respondents were interviewed.

Findings

The survey unquestionably demonstrates that bilingual aterials are used and that voter participation is encouraged (in the perception of the South Texas voter sample). Concerning voter perception of the availability of bilingual materials inside and outside of the polling place (Question #1), voters appear to notice the existence of bilingual materials and a bilingual ballot. The percentages by county recognizing the availability of bilingual materials were Bexar County (84.0%), Webb County (91.0%) and Zavala County (91.0%)

Question #2, dealing with the use of bilingual materials, suggests that significant percentages of the Spanish speaking respondents use bilingual materials: Bexar County (33.0%), Webb County (54.0%) and Zavala County (48.0%). Voter comments emanating from Question #2 suggest that neither the English nor Spanish version materials is exclusively used; rather, voters tend to read one language version or the other, checking the meaning of the materials in the other language. The percentages clearly demonstrate that bilingual materials are used.

In Question #3 and 4, the Texas Election Code requirement for bilingual assistance seems to be a needed and useful procedure. (Question #3--Bexar County (21.0%), Webb County (6.0%) and Zavala County (7.0%); Question #4--Bexar County (34.0%), Webb County (14.0%) and Zavala County (23.0%.)

Question #5, dealing with the clarity of voting directions in Spanish, informs us that approximately 85.0% of the voters interviewed in each county considered the Spanish ballot version to be clear and understandable. One apparent reason why these percentages are not higher is the use of "prevailing Spanish" within each of the respective counties. The voter comments emanating from this question suggest that the Spanish used on ballots and voting materials may not be the precise usuage within a particular area or region of the state. Of course, the geographic size of Texas--with the concommitant linguistic diversity within the Mexican American population--accounts for the widespread use of "prevailing Spanish."

Question #6, concerning the availability of bilingual ballots to voters before the act of voting--reveals that those sampled did have bilingual ballots available before going into the voting booth. The results by county were--Bexar County (77.0%), Webb County (51.0%) and Zavala County (81.0%).

Question #7 and #8 dealt with voter perception of the encouraging effect that bilingual materials have on voter participation. The findings on Questions #7 and #8 are of central importance to any evaluation of the efficacy of bilingual materials and bilingual ballots. The results demonstrate--in all three counties--that voters perceive that bilingual materials and bilingual ballots do make voting easier and encourage people to vote. The results of Questions #7 are: Bexar County--83.0%, Webb County--73.0% and Zavala County--90.0%. Thus, in Bexar, Webb and Zavala Counties, all areas with preponderant or significant Spanish speaking populations--the survey demonstrates that bilingual election materials are perceived to have an efficacious effect on voter registration.

Questions #9 and #10 were designed to elicit responses concerning the impact of bilingual materials on those who were voting for the first time. Question #9 reveals that 15.0% of the respondents in Bexar County were voting for the first time, 15.0% of the respondents in Webb County were voting for the first time and 9.0% of the respondents in Zavala County were voting for the first time. The unexpected high percentages of the first time voters in Bexar and Webb Counties might have been the result of concerted voter registration drives in those two areas. In contrast, Zavala County, home of the La Raza Unida Party, has one of the highest degrees of political consciousness and participation among the citizenry throughout 254 Texas counties.

Although the sample size for Question #10 was small in all cases, those who had voted for the first time, 28.0% in Bexar County, 44.0% in Webb County and 40.0% in Zavala County, felt that bilingual registration and voting materials encouraged them to vote. A common response to Question #10 was that the respondents could not speak nor read English well enough to understand English only materials. Thus, receiving registration materials and having voting materials available in Spanish appears to encourage voter participation among those who have not voted previously. This finding is supported by the Committee for the Study of the American Electorate's (Hart Research Associates, Inc.) "Non-Voter Study-1976". In a nationwide survey probing the causes of non-voting, the 1976 study revealed that a frequently cited reason for non-voting (16.0%) was: "They make it hard for people who don't speak English." ("Non-Voter Study 1976," Table 2, Resume.)

In conclusion, the findings of this preliminary exploration of the use and efficacy of bilingual materials and ballots in three Texas counties demonstrates that (1) there is a significant use of bilingual voting materials by this sample. (2) This survey demonstrates that voters perceive an encouraging effect on voter participation as a result of the availability of bilingual materials. Finally, (3) the existence of bilingual materials (including registration materials) appears to have a positive effect in building the confidence and encouraging first time voters to participate in the political system.

A cognate unpublished survey, undertaken by George Korbel of the Mexican American Legal and Education Defense Fund in November, 1975, focused on the reactions of local election administrators to the first statewide election wherein bilingual materials were employed. This study concludes that ". . . the data discloses remarkably few logistical problems to local election officials (as a result of the use of bilingual materials) and it paints a picture of a smoothly run election." ("MALDEF Election Survey," (unpublished), 1975, 3.)

Thus, future efforts in the use, administration and efficacy of bilingual elections would most profitably be directed towards studies of voter use and voter needs in bilingual elections. The impact of bilingual materials on non-voting linguistic minorities is especially needed.

BILINGUAL SURVEY
(English Version)

1. Were bilingual materials available for your use in voting inside and outside of the polling place?

   Yes ______ No ______

2. Did you use any bilingual materials? Yes______ No ______

3. Did you request bilingual assistance? Yes ______ No ______

4. Did anyone give you assistance? Yes ______ No ______

5. Were the directions in Spanish clear and understandable?

   Yes ______ No ______

   Comment

6. Were bilingual ballots available for those voters wishing to familiarizetthemselves before actually voting?

   Yes ______ No ______

7. Was voting easier because of bilingual materials? Yes _____ No ___

8. Whether you used bilingual materials or not, do you feel that these materials encourage others to vote? Yes ______ No ____

9. Is this the first time that you have voted? Yes ______ No ______

10. (If yes), Did registration and voting materials in Spanish encourage you to vote? Why?